தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1919

Vol. LXVIII (Nos. 1 to 13)

TABLE OF CONTENTS

Monday, the 30th October 1933.

	PAGES
Personnel of the Government of Madras	1–10
[illegible]	11–[illegible]
[illegible]	..
tbf new [illegible]	
III Condolence Resolutions—	
(i) On the death of Dr. Annie Besant	14–16
(ii) On the death of Mr. V. J. Patel	17–18
IV Questions and Answers	18–66, 116–127
V Acts assented to by His Excellency the Governor	66
VI A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	66–114
VII Papers laid on the table of the House	114–115, 128–139

Tuesday, the 31st October 1933.

Members present	141–142
I Questions and Answers	142–184, 238–251
II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	185–237
III Papers laid on the table of the House	237

Wednesday, the 1st November 1933.

Members present	253–254
I Questions and Answers	254–288, 302–317
II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	288–301

Thursday, the 2nd November 1933.

Members present	319–320
I Questions and Answers	320–341, 394–397
II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	341–393

TRUTH ALONE TRIUMPHS

Friday, the 3rd November 1933.

	PAGES
Members present	399–400
I Questions and Answers	400–428, 467–511
II Election to the Senate of the Andhra University	428
III A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	429–466
IV Papers laid on the table of the House	466, 512–515

Saturday, the 4th November 1933.

Members present	517–518
I Questions and Answers	518–557, 612–626
II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	558–611
III Pending business for the current sitting of the Council	611

Monday, the 6th November 1933.

Members present	627
I Questions and Answers	628–644, 701–704
II Business for the current sitting of the Council	644
III A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	645–700
IV Papers laid on the table of the House	700

Tu[illegible]

[illegible] Answers	[illegible]11, 758–759
II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	712–756
III Papers laid on the table of the House	757, 760

Wednesday, the 8th November 1933.

Members present	761
I Questions and Answers	762–773, 826–827
II Adjournment motion *re* the appointment of District Panchayat Officers.	773–775
III A Bill to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931)	775–816
IV The Madras Forest Act (Amendment) Bill (Bill No. 15 of 1933)	816–817
V The Periyar Irrigation Tank (Preservation) Bill (Bill No. 16 of 1933) ..	818–819
VI Demands for Supplementary Grants for 1933–34—	
(1) Grant I—Land Revenue—Reserved	819–821
(2) Grant XXVII—Miscellaneous Departments—Reserved	822–825

Friday, the 10th November 1933.

Members present	829–830
I New Members	830
II Questions and Answers	830–856, 904–918

NON-OFFICIAL BUSINESS.

Bills.

III. A Bill further to amend the Madras Estates Land Act, 1908, Mr. Sami Venkatachalam Chetti	857–858
IV. A Bill further to amend the Madras Impartible Estates Act, for certain purposes (Bill No. 17 of 1933)—Mr. A. V. Bhanoji Rao	859–863

PAGES

V The Madras Aliyasantana Bill (Bill No. 12 of 1933)—Mr. K. P. Raman Menon 863–882

VI The Madras Aliyasantana Bill (Bill No. 13 of 1933)—Mr. A. B. Shetty. 882–883

VII The Madras Public Libraries Bill (Bill No. 11 of 1933)—Mr. Basheer Ahmed Sayeed 883–891

VIII A Bill to amend the Andhra University Act, 1925, as amended by Act VI of 1929—Rao Sahib D. V. Narasimhaswami 891

IX A Bill further to amend the Madras Hindu Religious Endowments Act, 1926, for certain purposes—Mr. P. V. Krishnayya Choudari .. 892

X Resolutions on matters of general public interest—Remission of 25 per cent in the rate of assessment on ryotwari lands 892–903

XI Announcement regarding the appointment of Chairmen to certain Select Committees on Bills 903

Saturday, the 11th November 1933.

Members present 919

I Questions and Answers 920–933

II Demands for Supplementary Grants for 1933–34—

Grant XXVII—Miscellaneous Departments—Reserved 933–939

Grant XXIX—Civil Works—Works—Reserved and Transferred .. 939–943

III Draft rule under section 201 of the Madras Local Boards Act, 1920 .. 944–945

NON-OFFICIAL BUSINESS.

[illegible] matters [illegible] public interest [illegible]

[illegible] of 25 per c[illegible] the rate of [illegible] ryotwari l[illegible]

[illegible] an Andhra Province ..

Enforcement of communal Government Order in local bo[illegible]

Monday, the 13th November 1933.

Members present 979

I Questions and Answers 980–1006, 1062–1064

II A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931) 1006–1061

III Paper laid on the table of the House 1061

Tuesday, the 14th November 1933.

Members present 1065

A Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931) 1066–1132

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency Lieut.-Col. the Right Hon. Sir George Frederick Stanley, P.C., G.C.I.E., C.M.G. Took his seat on the 12th November 1929.

Members of the Executive Council.

1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur, K.C.I.E., Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Police, including Railway Police and C.I.D.
2. Regulation of betting and gambling.
3. Prevention of cruelty to animals.
4. Control of poisons.
5. Control of vehicles.
6. Control of dramatic performances and cinematographs.
7. Control of newspapers, books and printing presses.
8. Laccadives.
9. European vagrancy.
10. European and Anglo-Indian education.
11. Regulation of medical and other professional qualifications and standards.
12. Government Houses, Staff and equipment of His Excellency the Governor.
13. Government Presses.
14. Elections for Indian and Provincial Legislatures.
15. Industrial matters included under the following heads :—
 - (*a*) Factories.
 - (*b*) Settlement of labour disputes.
 - (*c*) Boilers.
 - (*d*) Gas.
 - (*e*) Smoke nuisances.
 - (*f*) Welfare of labour including depressed classes.
16. Criminal tribes.
17. Stores and Stationery (required for Reserved Departments).

II.—Central Subjects.

1. Control of petroleum and explosives.
2. Central police organization.
3. Arms and ammunition.
4. Emigration and immigration.
5. Pilgrimage to the Hedjaz.

2. The hon. Diwan Bahadur Sir M. Krishnan Nayar, *Kt.*, Law Member. Took his seat on the 25th April 1928 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province.
2. Provincial law reports.
3. Administrator-General and Official Trustees.
4. Escheats.
5. Coroners.
6. Treasure-trove.
7. Non-judicial and judicial stamps.
8. Prisons and prisoners.

I.—Provincial Subjects—cont.

9. Industrial matters included under the following head: Electricity, including hydro-electric scheme.
10. Forests (including Cinchona) except panchayat forests.
11. Minor Ports.

II.—Central Subjects.

1. Civil law.
2. Inventions and designs.
3. Copyright.
4. Criminal law.
5. Major ports.
6. Shipping and navigation.
7. Lighthouses.
8. Port quarantine and marine hospitals.

3. The hon. Sir ARCHIBALD CAMPBELL, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., Member in charge of Revenue. Took his seat on the 29th June 1929 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Land Revenue administration as described under the following heads, namely :—
 (*a*) Assessment and collection of land revenue.
 (*b*) Maintenance of land records ; survey for revenue purposes ; records of rights.
 (*c*) Laws regarding land tenures ; relations of landlords and tenants ; collection of rents.
 (*d*) Court of Wards, encumbered and attached estates.
 (*e*) Land improvement and agricultural loans.
 (*f*) Colonization and disposal of Crown lands.
 (*g*) Management of Government estates.
 (*h*) Panchayat forests.
2. Yeomiahs, inams and hereditary pensions.
3. Water-supplies, irrigation and canals, drainage and embankments ; water storage and water power.
4. Inland waterways including shipping and navigation thereon.
5. Economic condition including wages and prices and famine-relief.
6. Land acquisition, excepting notifications under sub-section (1) of section 4 and declarations under sub-section (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said sub-sections appertains to a transferred subject.
7. Development of mineral resources.
8. Protection of wild birds and animals.
9. Pounds and prevention of cattle trespass.
10. Provincial gazetteers.
11. Agency tracts.
12. Fortnightly reports and preliminary special reports to the Government of India.
13. General service questions.
14. Office procedure.
15. Secretariat.
16. Matters of a general nature not allocated elsewhere.

SECRETARY MADRAS LEGISLATIVE COUNCIL

II.—Central Subjects.

1. Geological survey.
2. Mineral development.
3. Botanical survey.
4. Survey of India.
5. Zoological survey.
6. Meteorology.
7. Census and Statistics.
8. Territorial changes.
9. Immovable property in possession of the Governor-General in Council.
10. All-India services.
11. Public Services Commission.
12. Reforms.

4. The hon. Mr. H. G. Stokes, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on the 19th March 1930 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Provincial finance.
2. Pensions.
3. Local Fund audit.
4. Preservation and translation of ancient manuscripts.
5. Central Record office.

II.—Central Subjects.

1. (*a*) Defence of India.
 (*b*) Naval and Military works and cantonments.
2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz.
3. Relations with States in India.
4. Political charges.
5. Communications.
6. Posts and telegraphs and telephones, including wireless installations.
7. Sources of all-India revenues.
8. Currency and coinage.
9. Public debt of India.
10. Savings banks.
11. Indian Audit Department.
12. Commerce, including Banks and Insurance.
13. Trading Companies and other Associations.
14. Opium (Central questions regarding —).
15. Central Research.
16. Ecclesiastical.
17. Archæology.
18. Regulation of ceremonial titles, orders, precedence and civil uniform.
19. Subjects not allocated elsewhere.

Ministers.

1. The hon. the RAJA OF BOBBILI, Minister for Local Self-Government. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Local Self-Government including village panchayats.
2. Medical administration.
3. Public Health and Sanitation and Vital Statistics.
4. Religious and Charitable Endowments.
5. Adulteration of food-stuffs and other articles.
6. Light and Feeder Railways and Tramways within municipal areas.
7. Stores and Stationery (required for Transferred Departments).

2. The hon. Mr. P. T. RAJAN, Minister for Public Works. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Agriculture.
2. Civil Veterinary Department.
3. Public Works (Buildings, Roads, Ferries, Rope-ways, etc.).
4. Co-operative Societies.
5. Registration.
6. Weights and Measures.

3. The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR, Minister for Education and Excise. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Education (other than European and Anglo-Indian education).
2. Excise.
3. Development of Industries.
4. Fisheries.
5. Libraries, Museums and Zoological Gardens.
6. Pilgrimage within British India.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Mr. B. Ramachandra Reddi.

Deputy President.

M.R.Ry. Rao Bahadur G. Jagannadha Raju Garu.

Panel of Chairmen.

M.R.Ry. M. A. Muthiah Chettiyar Avargal.
,, M. Devadasan Avargal.
Yakub Hasan Sahib Bahadur.
M.R.Ry. K. R. Venkatarama Ayyar Avargal.

Secretary to the Council.

M.R.Ry. Diwan Bahadur R. V. Krishna Ayyar Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. D. K. V. Raghava Varma Garu, B.A., B.L.

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

	Name of member.	Name and class of constituency.
1	Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2	Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad *cum* Tinnevelly, Muhammadan Rural.
3	Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4	Alamelumangathayaramma, Mrs. K.	NOMINATED.
5	Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6	Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7	Arasu, V. T.	NOMINATED.
8	Ari Gowder, H. B. ..	The Nilgiris, N.-M. Rural.
9	Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10	Basu Dev, C.	NOMINATED.
11	Bayappa Reddi, P.	Anantapur, N.-M. Rural.
12	Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
13	Bhanoji Rao, A. V.	NOMINATED.
14	Birley, Frank	Madras Chamber of Commerce.
15	Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	EX OFFICIO.
16	Davis, O.B.E., J. A.	Anglo-Indian.
17	Devadasan, M.	NOMINATED.
18	Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
19	Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural.
20	Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
21	Foulkes, R.	NOMINATED.
22	Gopalaswami Ayyangar, Diwan Bahadur N.	NOMINATED.
23	Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
24	Harischandrudu Nayudu, A. ..	Godavari East, N.-M. Rural.
25	Hood, I.C.S., H. M.	NOMINATED.
26	Indriah, C.	Godavari West, N.-M. Rural.
27	Jagannadha Raju, Rao Bahadur G. (*Deputy President*).	Vizagapatam, N.-M. Rural.
28	Jagannatham, H. M.	NOMINATED.
29	Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.

Name of member.	Name and class of constituency.
30 Kesava Ramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
31 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly *cum* Srirangam, Muhammadan Urban.
32 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
33 Koti Reddi, K.	Cuddapah, N.-M. Rural.
34 Krishnamurti, Rao Sahib D. ..	NOMINATED.
35 Krishnan, C.	NOMINATED.
36 Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.	EX OFFICIO.
37 Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.	NOMINATED.
38 Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
39 Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrula Bahadur Varu).	Nellore, N.-M. Rural.
40 Kumaraswami Reddiyar, The hon. Diwan Bahadur S. (*Minister*).	Tinnevelly, N.-M. Rural.
41 Kuppuswami Choudari, J. ..	Guntur, N.-M. Rural.
42 Ladden, W. W.	Madras Trades Association.
43 Lakshmana Reddi, G. ..	Anantapur, N.-M. Rural.
44 Langley, W. K. M.	Madras Planters.
45 Madanagopal Nayudu, R. ..	Madras City, N.-M. Urban.
46 Madhusoodhanan Thangal, P.	NOMINATED.
47 Maharaja of Venkatagiri (Sri Raja Velugoti Sir Govinda Krishna Yachendrula Bahadur Varu, K.C.I.E., Lieutenant-Colonel).	North Central Landholders.
48 Mahboob Ali Baig Sahib Bahadur.	Northern Circars, Muhammadan Rural.
49 Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
50 Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
51 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
52 Moses, P. C.	Northern Districts, Christian.
53 Muhammad Meera Ravuttar Bahadur, K. P. V. S. ..	Madura *cum* Trichinopoly, Muhammadan Rural.
54 Muniswami Nayudu, Diwan Bahadur B.	Chittoor, N.-M. Rural.
55 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
56 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.

	Name of member.	Name and class of constituency.
57	Muthiah Chettiyar, M. A. ..	Southern India Chamber of Commerce.
58	Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.
59	Nachiyappa Gounder, K. A. ..	Salem, N.-M. Rural.
60	Nadimuthu Pillai, A. Pl. N. V.	Tanjore N.-M. Rural.
61	Nanjappa Bahadur, Subadar-Major S. A.	NOMINATED.
62	Narasa Reddi, T.	Cuddapah, N.-M. Rural.
63	Narasimhaswami, Rao Sahib, D. V.	Godavari East, N.-M. Rural.
64	Narayanan Nambiyar, V. P.	Malabar, N.-M. Rural.
65	Narayanaswami Pillai, Rao Bahadur T. M.	Trichinopoly, N.-M. Rural.
66	Natesa Mudaliyar, Rao Bahadur C.	Madras City, N.-M. Urban.
67	Palat, R. M.	West Coast Landholders.
68	Pannirselvam, Rao Bahadur A. T.	Tanjore and Trichinopoly *cum* Madura, Christian.
69	Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
70	Patnaik Mahasayo, Sriman M. G.	Ganjam, N.-M. Rural.
71	Patro, *Kt.*, Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
72	Pattabhiramayya, K.	Kistna, N.-M. Rural.
73	Pattagar of Palayakottai (Rao Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
74	Peddi Raju, P.	Godavari West, N.-M. Rural.
75	Pocker Sahib Bahadur, B. ..	Malabar, Muhammadan Rural
76	Premayya, G. R.	NOMINATED.
77	Rajagopala Pillai, P. V. ..	NOMINATED.
78	Raja of Bobbili, The hon. (Sri Ravu Swetachallapathi Ramakrishna Ranga Rao) (*Minister*).	Vizagapatam, N.-M. Rural.
79	Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu).	Northern Landholders, I.
80	Raja of Parlakimedi (Sri Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu).	Ganjam, N.-M. Rural.
81	Rajan, The hon. Mr. P. T. (*Minister*).	Madura, N.-M. Rural.
82	Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
83	Ramachandra Reddi, The hon. Mr. B. (*President*).	Nellore, N.-M. Rural.
84	Ramakrishna Reddi, A. ..	Kurnool, N.-M. Rural.
85	Ramalingam Chettiyar, Rao Bahadur T. A.	Coimbatore, N.-M. Rural.

	Name of member.	Name and class of constituency.
86	Ramamurti, Rao Sahib Pandit Ganala.	NOMINATED.
87	Raman Menon, K. P. ..	Malabar, N.-M. Rural.
88	Ramaswami Ayyar, T. S. ..	Madras University.
89	Ramaswami Mudaliyar, V. M.	North Arcot, N.-M. Rural.
90	Ranganatha Mudaliyar, A. ..	Bellary, N.-M. Rural.
91	Ranganatha Mudaliyar, G. ..	Tanjore, N.-M. Rural.
92	Ranganatha Mudaliyar, M. D. T.	Tinnevelly *cum* Palamcottah, N.-M. Urban.
93	Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
94	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
95	Sahajanandam, Swami A. S.. .	NOMINATED.
96	Sami Venkatachalam Chetti ..	Madras City, N.-M. Urban.
97	Sesha Reddi, B. P.	Kurnool, N.-M. Rural.
98	Shetty, A. B.	South Kanara, N.-M. Rural.
99	Simhachalam Pantulu, Gade.	Guntur, N.-M. Rural.
100	Singam Ayyangar, K. ..	Trichinopoly *cum* Srirangam, N.-M. Urban.
101	Siva Raj, Rao Sahib N. ..	NOMINATED.
102	Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
103	Smith, C.I.E., I.C.S., E. Conran.	NOMINATED.
104	Soundara Pandian, W. P. A.	NOMINATED.
105	Sreshta, M. S.	West Coast, Christian.
106	Srinivasa Ayyangar, T. C. ..	Ramnad, N.-M. Rural.
107	Srinivasan, Rao Bahadur, R.	NOMINATED.
108	Sriramulu, G.	NOMINATED.
109	Stanes, F. J.	Madras Chamber of Commerce.
110	Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.	EX OFFICIO.
111	Subbarayan, Dr. P. (Zamindar of Kumaramangalam).	South Central Landholders.
112	Subrahmanyam Chetti, Rao Sahib P.	NOMINATED.
113	Subrahmanya Bhatt, U. C. ..	South Kanara, N.-M. Rural.
114	Sundara Rao Nayudu, T. ..	Madras City, N.-M. Urban.
115	Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
116	Thomas, Daniel	Ramnad *cum* Tinnevelly, Christian.
117	Thorne, C.I.E., I.C.S., J. A. ..	NOMINATED.
118	Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.	EX OFFICIO.
119	Vasudeva Pillai, V. G. ..	NOMINATED.
120	Vedachala Mudaliyar, M. ..	Chingleput, N.-M. Rural.
121	Venkatarama Ayyar, K. R. ..	Madura City, N.-M. Urban.
122	Venugopal Nayudu, Rao Bahadur R. K.	South Arcot, N.-M. Rural.

	Name of member.	Name and class of constituency.
123	Viswanatha Rao, Rao Bahadur V. N.	NOMINATED.
124	Wright, W. O.	European, Madras Presidency.
125	Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.
126	Yakub Hasan Sahib Bahadur.	North Arcot *cum* Chingleput.
127	Zamindar of Bodinayakkanur (Kamaraja Pandia Nayakar, T. V. K.)	Southern Landholders.
128	Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
129	Zamindar of Ettayapuram (Raja Jaga Veera Rama Kumara Venkateswara Ettappa Nayakar Ayyan).	Tinnevelly, N.-M. Rural.
130	Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
131	Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
132	Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.

Special Members.

133	Ramachandra Rao, Diwan Bahadur M.	Nominated for the consideration of the Co-operative Land Mortgage Banks Bill.
134	Hall, C.I.E., O.B.E., I.C.S., J. F.	Nominated for the Periyar Irrigation Tank Preservation Bill.
135	Smith, Erlam	Nominated for the consideration of the Madras Public Libraries Bill.
136	Krishnaswami Ayyar, K. V.	

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

OFFICIAL REPORT.

***Fourth Session of the Fourth Legislative Council, under the Government of India Act,* 1919.**

Monday, the 30th October 1933.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.
Raja of Bobbili, The hon. the
Rajan, The hon. Mr. P. T.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed Sahib Bahadur.
Bayappa Reddi, Mr. P.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Birley, Mr. F.
Davis, Mr. J. A.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Ayyangar, Diwan Bahadur N.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Hall, C.I.E., O.B.E., I.C.S., Mr. J. F.
Hood, I.C.S., Mr. H. M.
Indraiah, Mr. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Kesava Ramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnan, Mr. C.
Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.
Kumara Raja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Ladden, Mr. W. W.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Madanagopal Nayudu, Mr. R.
Maharaja of Venkatagiri, The.
Mahboob Ali Baig Sahib Bahadur.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur, T. M.
Moses, Mr. P. C.
Muhammad Meera Ravuttar, Mr. K. P. V. S.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib, V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nanjappa Bahadur, Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Narayanaswami Pillai, Rao Bahadur T. M.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.

PRESENT—*cont.*

Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai, The.
Peddiraju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Kallikote, The.
Ramachandra Padayachi, Mr. P. K.
Ramachandra Rao, Diwan Bahadur M.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Shetty, Mr. A. B.
Simhachalam, Mr. Gade.
Singam Ayyangar, Mr. K.
Siva Raj, Rao Sahib N.
Smith, C.I.E., I.C.S., Mr. E. Conran.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thangal, Mr. P. M.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venkatachala Reddiyar, Mr. K. C. M.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Viswanatha Rao, Rao Bahadur V. N.
Wright, Mr. W. O.
Yahya Ali Sahib Bahadur, Khan Bahadur.
Yakub Hasan Sahib Bahadur.
Zamindar of Mirzapuram, The.

I.—SWEARING IN OF NEW MEMBERS.

The following Members made the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

Mr. J. F. HALL, C.I.E., O.B.E., I.C.S.

M.R.Ry. Rao Bahadur D. KRISHNAMURTI Garu.

M.R.Ry. Diwan Bahadur N. GOPALASWAMI AYYANGAR Avargal.

II.—HIS EXCELLENCY THE GOVERNOR'S MESSAGE.

The hon. the PRESIDENT:—" I have received the following Message from His Excellency the Governor:—

' I had intended to address you in person, but as doctors have advised me not to do so, I am sending you this Message through the hon. the President.

' Mr. President and hon. Members of the Legislative Council,—

' When I last addressed the Legislative Council, I announced that I intended to extend the life of this Council but that, at the moment, I was not prepared to say for how long. I have now decided that the extension shall be for one year from the date when the Council would normally cease to exist and a notification will be issued to that effect.

' 2. Since my last speech to the Legislative Council, there has been an attempt—mainly by people from other Provinces—to introduce terrorism into this Presidency—an attempt which failed and failed utterly. It failed, not only because of the efforts of the Police, who, as usual, behaved admirably, but also because of the assistance in

30th October 1933] [The President]

combating the menace which was given to the Government by all sections of the community and I desire to pay public tribute to that assistance. Hon Members of the Council, as one would expect of them, not only granted the extra money, which they realized was necessary to increase the Criminal Investigation Department, but they vied with each other in expressing disapproval of such outrages—the General Public gave courageous and loyal support to the Police in the actual capture of the offenders and the attitude of the Presidency showed that, whatever may be the case elsewhere, the people of Madras have no belief in or use for terrorism. They realize, as a whole, though some misguided individuals do not, that such methods do not advance their cause one iota, and I can say, from my own personal knowledge, that the only result of such actions is to make infinitely more difficult the task of framing and of carrying through the British Parliament a scheme of Self-Government that will be acceptable.

' 3. The economic situation continues to cause the Government grave concern. In accordance with promises that have been made to endeavour to assist in this time of difficulty, various steps have been taken by the Government, the most effective of which has been the reduction of freights on the South Indian Railway which was followed almost immediately by an increase in the export of Tanjore rice to Ceylon. It had been hoped that a syndicate of millowners and landholders in Tanjore might be formed but this unfortunately fell through. I trust it may be possible to revive this scheme in some form or other in order to start organization in the hitherto disorganized industry. On behalf of the trade in the Northern Deltas, endeavours have been and still are being made to come to certain agreements with His Exalted Highness the Nizam's Government but, so far, without complete success. A scheme for the inauguration of a Provincial Marketing Board, with an expert Marketing Officer is under consideration and will, I hope, come into existence.

' 4. Further, the Government have suspended the collection of land revenue to the extent of some Rs. 33 lakhs and it is difficult to see what more the Government can do. As every one knows, there is constant pressure to reduce land-tax but there is also pressure to expend money in numerous other directions and I must point out to hon. Members that it is impossible to have it both ways—to reduce taxation and, at the same time, to continue the nation-building services which hon. Members are anxious—and rightly so—not only to retain but to expand.

' 5. An Estates Land Act Amendment Bill was introduced by the Government and passed through the Select Committee but further consideration of the measure was postponed last January in the hope that the parties might come to an agreement as to the best procedure to follow in the interests of both landlord and tenant. That hope has, unfortunately, not been entirely realized but discussion has shown that on many points a substantial amount of agreement can be reached. Many of these agreed points can be incorporated in the Government Bill and it is proposed therefore to go forward with it during this session.

[The President] [30th October 1933

'6. I have been considering for some time whether the Standing Orders of the Council can be amended in the light of past experience to meet the greater convenience of hon. Members and to save Parliamentary time. I have asked you, Mr. President, the hon. the Leader of the House and the hon. Member leading the Opposition, if they will be kind enough to act as a small committee with me to examine in what direction, if any, alterations can be made and the result of our deliberations will be placed before hon. Members at the next meeting of the Council. There is one point, however, in this connexion to which I will refer now and which is entirely in the hands of hon. Members themselves. Every day I read through the questions that are to be asked and the replies thereto and I am struck by the frequency of the answer that there is no foundation in fact for the statement or the suggestion made in the question. I have no desire to curb the thirst for information of hon. Members and question time undoubtedly fulfils a very useful purpose, but I would submit to them that their own dignity demands that they should be sure any question they may put is founded on fact and not on mere supposition or hearsay.

'7. I do not intend to refer at any length to the work of the Joint Select Committee in London except to say that their task is being handled with due regard to its importance and that the Members of the Committee are conscientiously endeavouring to grapple with facts as they are so that they may evolve a constitution which shall enable this great Empire of India to take her rightful place in the comity of nations which constitutes the British Empire.' "

III.—(i) CONDOLENCE RESOLUTION ON THE DEATH OF DR. ANNIE BESANT.

* Dr. P. Subbarayan :—" Mr. President, Sir, I move—

'*that this Council places on record its deep sense of sorrow at the death of Mrs. Annie Besant.*'

" I do not think many words are needed from me to commend this resolution to this House. It is a well-known fact that Mrs. Besant took a foremost part in the struggle for home-rule, soon after the Great War. Her's was a dynamic personality, which gave impetus to the movement and if we are in a state of advance towards the fulfilment of our national aspirations the country owes a deep debt of gratitude to Mrs. Besant. Mrs. Besant's name will live not only for the work she did for India, but also for the world at large. She came of a great family of Irishmen and it is a well-known fact that one of her near relations held the place of Lord Chancellor—Lord Hatherly—and his work as Lord Chancellor is well known not only to lawyers, but also to public men. Mrs. Besant was married to Rev. Frank Besant but she found the ideals of Christianity as expounded by the orthodox church was not acceptable to her, and soon left Mr. Besant in order to work for the causes she held dear. Her work with regard to the uplift of the lowly and poor is well known. Afterwards, she threw herself into the Fabian

30th October 1933] [Dr. P. Subbarayan]

movement and felt that a socialist commonwealth will be the ideal to work for. But soon after, she came under the influence of Madame Blavatsky and joined the Theosophical Society and succeeded to the presidentship of the Theosophical Society in the year 1895, and her work as a theosophist is well known in India and India will ever be grateful to her for the great work she has done in the field of education, both at Benares and here at Adyar. Not only India but many people in the world will mourn the great loss that has been caused by her death. I am sure her spirit lives and will be an inducement for future generation for constructive work."

* The hon. Sir MAHOMED USMAN:—"Mr. President, I beg to second the resolution moved by the hon. the Leader of the Opposition and take this opportunity of expressing on behalf of the Government of Madras our regret at the death of Dr. Besant."

* Mr. F. BIRLEY:—"Mr. President, Sir, I desire to associate myself on behalf of the European Group with the expressions of sympathy expressed in connexion with the death of Mrs. Annie Besant."

* The hon. the RAJA OF BOBBILI:—"On behalf of my Party, I consider it a privilege to associate myself with the sentiments expressed by the hon. the Leader of the Opposition. In the death of Mrs. Annie Besant, the world has lost a great figure in the cause of humanity. Her activities were many-sided. Education was the main thing in her programme in which she has left a record of public service which can never be forgotten. Although there may not have been complete unanimity on her political activities, I am sure everyone will agree that she was undoubtedly a very sincere well-wisher and friend of India. Her knowledge of oriental lore and fascination for the east and sympathy with Indian aspirations found an outlet in a practical and tangible form and she founded the Central Hindu College, Benares, which formed the nucleus of the modern Hindu University, which is sure to interpret the spirit of Indian culture through the medium of modern education and, so long as this University exists, her name will be remembered as a benefactor of India. With these words I have great pleasure in supporting the resolution."

* Mrs. K. ALAMELUMANGATHAYARAMMA supported the motion by a Tamil speech.

The following is an English rendering of it:—

"Mr. President, Sir—Some of my brother councillors have spoken 11-15 a.m.
in sympathetic terms of the late Dr. Besant. As I am a representative of women in this Council, I should like to say a few words. There is no doubt that Dr. Besant, after she came to India, did immense service to this country by her many-sided activities. She took great efforts to bring about reformation in Hindu Society, abolish differences between religion and religion, improve the prevailing educational system and, last but not least, create a mass consciousness in India for the freedom of the country from foreign rule. Her work in the religious sphere has been not a little responsible for the appreciable lessening of the number of converts from Hinduism to Christianity. Dr. Besant spent

[Mrs. K. Alamelumangathayaramma] [30th October 1933

more than half of her life in India. A great follower of Madame Blavatsky and Colonel Olcott, she was the moving soul and guiding spirit of the Theosiphical Movement.

" She arrived in India about forty years ago, and since then, she has been a great expounder of the principles of Hinduism. Her efforts in the field of education include the establishment of schools and colleges in different parts of the country, the publication of books and periodicals and the founding of the Central Hindu College at Benares.

" Though first she did not identify herself with the Congress movement, she joined it later and had the honour of presiding over an annual session of the Congress. She was of the view that Indians should not be content with progress in the religious sphere, but that they should advance greatly in the political sphere as well. It was with this object that she started ' The New India ' in Madras and started a political association for the purpose of realizing her objects.

" Though born a woman, she possessed qualities of courage and statesmanship of an unrivalled character. As a speaker, she occupied the front-rank among politicians in India. Born in a poor family, by dint of perseverance and industry, she educated and equipped herself to play a great part in the political affairs of the land of her adoption. India can little afford to forget the services she has rendered to her political progress. Dr. Besant achieved great fame and renown as a politician, as an educationist, as a speaker and a religious reformer.

" The activities of the Theosophical Movement resulted in the lessening of the differences between religion and religion and community and community. Indians in general particularly liked her religious propaganda, because it brought about a feeling of brotherhood among the communities. This feeling was shown in inter-sectional, inter-caste and inter-racial marriages. There was also engendered a feeling of equality between the sexes.

" A characteristic feature of her courage, independence and individuality was shown when she argued her own case in the famous Alcyone case against Sir C. P. Ramaswami Ayyar who was the Counsel for the other side.

" Though politically we had differences of opinion I want to take this opportunity of paying my tribute to a great woman of an alien land, who loved this country and adopted it and who inspired Indian womanhood to rise to its heights and achieve progress on sound and healthy lines. She had bewailed on many occasions that she had not the good fortune of being born in India. She loved this country and its people as few foreigners have done. She was a great patriot and a great leader. She died full of years and full of achievements. I deem it a melancholy privilege to support the condolence resolution."

The hon. the PRESIDENT:—" The motion before the House is—

' *that this Council places on record its deep sense of sorrow at the death of Mrs. Annie Besant* '."

The motion was carried in silence, all Members standing.

(ii) CONDOLENCE RESOLUTION ON THE DEATH OF MR. V. J. PATEL.

* Dr. P. SUBBARAYAN:—" Mr. President, I move—

'*that this House places on record its deep sense of sorrow at the death of Mr. Vithalbhai Patel, the first elected President of the Legislative Assembly.*'

" Mr. President, Mr. Patel's name will live in the future as the first elected President of the Legislative Assembly. We have here in our midst the present President of the Legislative Assembly, who has himself paid his meed of tribute to his predecessor-in-office, and has told the public in what way his rulings have been most helpful to him in the Chair. Of course, Mr. Patel will also be remembered as a great fighter for the cause of Indian liberty and his last words even before he died were this very topic, and he wished the struggle for India's freedom will result in her being a free country in the near future. I am sure those words will be remembered by every Indian who is worthy of his country in order to achieve freedom for which Mr. Patel and his confreres have struggled for the last quarter of a century.

" Mr. Patel came of peasant origin in Gujarat. As is customary with the peasants of Gujarat, he had also their strength of mind and character, which made him a fighter for the cause of Indian liberty. In politics, he was a follower of the late Mr. Tilak, and was very much inclined to follow the policy laid down by Mr. Tilak for the achievement of Indian freedom. But when the dynamic personality of the Mahatmaji came into the Indian struggle, though he did not agree with the Mahatma's plans, he felt that Mahatma Gandhi was the one man who would lead the nation to its goal, and was prepared to follow the Mahatma's teachings in his struggle for Indian freedom. But, when he found that the first Non-Co-operation Movement did not achieve the result which was expected of it, he boldly threw in his lot with the late Pandit Motilal Nehru and the late Mr. C. R. Das in order to start the Swarajya Party, and his work as an ordinary Member in the first Legislative Assembly was of great help in this direction. But when the party themselves felt that Mr. Patel's work will be more useful to the nation if he occupied the Chair of the Assembly, he was willing to leave the arena of active politics for the Chair, and his work in the Chair is very well known to the public, as I have already referred to it. But, when the second Non-Co-operation Movement began, Mr. Patel naturally felt that his place was among his confreres of the Congress, and resigned the office, and was immediately sent to prison for some breach of law. His health was greatly impaired by such imprisonment, and eventually he had to go to Europe seeking medical aid. Even in his retirement in Europe, his thoughts were centred in the struggle for Indian freedom that was going on in the country. When he found that anti-Indian propaganda was being carried on in America, he in spite of his weak health went to the United States and tried to do what he could to put forward the view of the Indian nationalists to the American public, and I believe it has had its own effect. When he came back from America, his health broke down, and in

[Dr. P. Subbarayan] [30th October 1933

spite of the medical aid given to him in the great medical centre of Vienna, he lost his life. I am sure his spirit and the last message he has given will live for ever and will impel us to struggle for the cause which was so dear to his heart."

* The hon. Sir MAHOMED USMAN:—"In seconding this resolution, I should like to associate the Government of Madras with it and express our sorrow at the death of Mr. Patel, the first elected President of the Legislative Assembly."

* The hon. the PRESIDENT:—"The motion before the House is—
'*that this House places on record its deep sense of sorrow at the death of Mr. Vithalbhai Patel, the first elected President of the Legislative Assembly*'."

The motion was carried, all Members standing.

IV.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Control of Cinematographs

Ban on the Cinematograph film displaying the funeral procession of Mr. J. M. Sen Gupta.

* 105 *Q.*—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state whether it is a fact that the Madras Government have banned the film of the funeral procession of the late Mr. J. M. Sen Gupta and, if so, for what reasons?

A.—This Government have not banned the film.

Mr. M. A. MANIKKAVELU NAYAKAR:—"Sir, are any restrictions placed in the matter of the exhibition of the film of the funeral procession of the late Mr. Sen Gupta, and if so, what are they?

The hon. Sir MAHOMED USMAN:—"The question does not arise. The Government have not banned the film, as stated in the answer."

Mr. BASHEER AHMED SAYEED:—"May I know whether this film has been banned by the Government of India, or any other authority?"

The hon. the PRESIDENT:—"The question does not arise."

Law and Order (General)

Alleged oppression of the Depressed Classes of Pallikondan village, Vellore taluk.

* 106 *Q.*—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state whether the Government have received any complaints that the caste Hindus are oppressing the depressed classes at Pallikondan village, Vellore taluk?

A.—No complaint appears to have been received.

Alleged unfriendly relations between the Nattars and the Adi-Dravidas in the Ramnad district.

* 107 *Q.*—Rao Sahib V. I. MUNISWAMI PILLAI: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received memorials and petitions from responsible people as to the strained relationship between the Nattars and Adi-Dravidas in the Ramnad district during the past four months; and

(b) whether the Government have taken any action on these representations?

A.—(a) & (b) Two petitions were received from certain persons on the subject and they were transferred to the District Magistrate of Ramnad for such action as he might consider necessary.

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know from the hon. the Home Member when these petitions were received and when they were forwarded to the District Magistrate of Ramnad?"

The hon. Sir MAHOMED USMAN:—"I think one was received in February and the other in June."

Police

Result of the investigation by the Police into the find of a pistol in the Council Chamber, Fort St. George.

* 108 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(a) what the result is of the investigation by the police into the find of the pistol in the premises of the Council Chamber of this Council some time back; and

(b) whether the ownership of the pistol has been traced to any person; if so, why no action has been taken against the said person till now?

A.—(a) No clue has been found.

(b) (i) No.

(ii) Does not arise.

Mr. SAMI VENKATACHALAM CHETTI:—"May I know the number of the pistol?"

The hon. Sir MAHOMED USMAN:—"I am unable to answer it now."

Mr. SAMI VENKATACHALAM CHETTI:—"Is the hon. Home Member aware that every pistol has got a number?"

The hon. Sir MAHOMED USMAN:—"I am thankful to the hon. Member for the information."

Apprehension of the culprits concerned in the revolver incident at the Council Chamber, Fort. St. George.

* 109 *Q.*—Mr. G. R. PREMAYYA: Will the hon. the Home Member be pleased to state—

(a) whether the police have till now been able to trace out the culprit or culprits who placed a loaded revolver in the Governor's Box during the last session of the Council;

(b) what the steps are that have been taken by the police till now to find out the offenders; and

(c) how far the police have been successful in their efforts?

A.—(a) & (c) The attention of the hon. Member is invited to the answer to question No. 108.

(b) The Government do not propose to disclose the steps taken by the police in the matter.

Special treatment to Kallars with regard to appointments in the Police department.

* 110 Q.—Mr. V. T. Arasu: Will the hon. the Home Member be pleased to state—

(a) whether any memorials have been received either by the Government or by the Inspector-General of Police asking for special treatment being meted out to the members of the Kallar community with regard to the appointments and promotions in the Police department; and

(b) whether the Government have taken any special steps to encourage members of this community to join the Police service in large numbers?

A.—(a) No.

(b) Kallars are included among depressed classes for purposes of recruitment to the public service. The Government have intimated to the Inspector-General and the Commissioner of Police their desire that depressed classes should be recruited in large numbers to the lower ranks of the police force in accordance with the principle that all communities should, as far as possible, be represented in the public service. Beyond this no special steps have been taken to encourage Kallars to join the Police service.

Promotion of head constables as sub-inspectors of Police.

* 111 Q.—Mr. M. Devadasan: Will the hon. the Home Member be pleased to state—

(a) whether there is a Government Order directing the appointment of 30 per cent of sub-inspectors of police from among the ranks of head constables in every district;

(b) in how many districts of this Presidency the principle embodied in the Government Order is adhered to;

(c) whether it is a fact that since 1929 no head constable was promoted to the rank of sub-inspector in the district of Tinnevelly;

(d) if so, why; and

(e) how many head constables are acting as sub-inspectors in Tinnevelly district at present?

A.—(a) Recruitment to the Madras Police Subordinate Service is now regulated by the Statutory Rules framed for that service and not by executive orders. Those rules provide that not more than 30 per cent of the cadre of Sub-Inspectors shall be filled by promotion from the ranks of head constables and reserve head constables including armourers.

(b) The rules referred to in the answer to clause (a) apply to the entire Police Subordinate Service of this Presidency.
(c) No.
(d) Does not arise.
(e) Six head constables.

Alleged variations in the acting allowances admissible to head constables acting as Sub-Inspectors of Police.

* 112 *Q.*—Mr. M. DEVADASAN: Will the hon. the Home Member be pleased to state—

(a) whether it is true that if five head constables are made to act for Sub-Inspectors, only two or three of them are allowed to draw acting allowance while the others are denied the same; and

(b) if so, why such a treatment is meted out to head constables?

A.—(a) & (b) There is a reserve of Sub-Inspectors of Police calculated at 14 per cent of the sanctioned strength of Sub-Inspectors, Inspectors and Deputy Superintendents of Police to provide for men under training and on leave and for vacancies caused by other casualties in those grades. This reserve excludes probationary Sub-Inspectors undergoing training at the Police Training School, Vellore, whose number is determined by the Government each year. When head constables are appointed to perform the duties of Sub-Inspectors owing to shortage of Sub-Inspectors available in the vacancy reserve they do not get any officiating allowance. Officiating allowance is admissible to them in the following cases:—

(1) when appointed to act as Sub-Inspectors in special duty arrangements when officers of the rank of Sub-Inspector, Inspector and Deputy Superintendent of Police are deputed on special duty, and

(2) when appointed to act as Sub-Inspectors in other vacancies up to the number of probationary Sub-Inspectors under training in the Police Training School, Vellore.

Acting allowances to Sub-Inspectors and head constables acting as Circle Inspectors and Sub-Inspectors, respectively.

* 113 *Q.*—Mr. M. DEVADASAN: Will the hon. the Home Member be pleased to state—

(a) whether the Sub-Inspectors of Police acting for Circle Inspectors are entitled to acting allowance for the acting period;

(b) whether all the head constables acting for Sub-Inspectors are given the allowances of Sub-Inspectors during the acting period; and

(c) if not, why not?

A.—(a) Yes.

(b) & (c) The attention of the hon. Member is invited to the answer to question No. 112.

Administration of Justice

Transfer of Mr. E. E. Mack, I.C.S., District and Sessions Judge, Anantapur.

* 114 Q.—Mr. T. Narasa Reddi: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that E. E. Mack, Esq., I.C.S., District and Sessions Judge, Anantapur, has been transferred from Anantapur within a short period of seven months;

(b) whether it is a fact that he was transferred because he criticized the administration of the Police in the district in a sessions case from Prasannapalli; and

(c) if the answer to clause (b) is in the negative, what necessitated the transfer of the Judge within such a short period?

A.—(a) Mr. Mack was District and Sessions Judge of Anantapur for 8 months and 3 days before he was transferred.

(b) No.

(c) The transfer was effected in the general interest of the public service.

Representation of Settibalijas on the Court of Bench Magistrates at Bhimavaram.

* 115 Q.—Mr. G. Sriramulu: Will the hon. the Law Member be pleased to state—

(a) when the Court of Bench Magistrates was constituted at Bhimavaram in the West Godavari district; and

(b) whether there is any "Settibalija" now as a Special Magistrate on the Bench?

A.—(a) In September 1918.

(b) No.

Criminal Law

Repeal of the Mappilla Outrages Act.

* 116 Q.—Mr. Abdul Hameed Khan: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received the resolution passed unanimously at the second session of the Kerala Muslim Conference held at Calicut, under the presidentship of Sir Muhammad Habib-ul-lah, K.C.S.I., K.C.I.E., LL.D., appealing to the Government to repeal the Mappilla Outrages Act and to remove the special police from Malabar; and

(b) if so, what action the Government have taken in the matter?

30th October 1933]

A.—(*a*) & (*b*) The Government have received a copy of the resolution referred to. No action was taken on it as the proposals had already been examined before and found to be not feasible.

Mr. ABDUL HAMEED KHAN :—" May I know from the hon. the Law Member what exactly is the question and when the question that seems to have been examined by the Government was considered? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" There were questions about this recently in the Council; at the time of answering these questions the question was examined."

Mr. ABDUL HAMEED KHAN :—" Will the hon. the Law Member be pleased to state whether the Government have examined this question after receipt of the unanimous resolution of the people of Malabar? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" No, Sir."

Mr. ABDUL HAMEED KHAN :—" May I know whether it is not a fact that in the Administration Report the Government have emphatically and categorically stated that the Mappilla prisoners had all been released and that the state of affairs in Malabar was such that there was no need for retaining this law? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I want notice of that question. I am afraid that the last portion of my friend's statement could not have appeared in the Administration Report."

Mr. YAKUB HASAN :—" Will the hon. Member state some of the reasons why this Act is still continued? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" In the interests of the tranquillity of the district."

Mr. ABDUL HAMEED KHAN :—" May I know, Sir, what facts and figures the Government possess in order to show that the tranquillity of the district has been disturbed in the last few years since the rebellion occurred? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" The rebellions that broke out after this Act was passed are evidence of the need for the Act."

Mr. ABDUL HAMEED KHAN :—" May I know what exactly are the facts which the Government have in order to continue this Act? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" The safety and tranquillity, as I submitted, of the district."

Mr. SAMI VENKATACHALAM CHETTI :—" Has not the hon. the Law Member now evidence before him of the peace prevailing in the district? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Partially."

Mr. SAMI VENKATACHALAM CHETTI :—" Is there any partial consideration for the repeal of this Act? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" No, Sir."

[30th October 1933

Electricity

Transmission of electric power from Pykara to Calicut.

*117 *Q.*—Mr. M. S. Sreshta: Will the hon. the Law Member be pleased to state—

(*a*) whether the Hydro-Electric department has been considering the possibility of transmitting electric power from Pykara to Calicut;

(*b*) if so, whether an estimate of the cost of the proposal has been made, and what the estimated cost is;

(*c*) whether the Government have ever obtained an estimate of what the extra cost will be of an extension of the line to Mangalore;

(*d*) whether an estimate has been made of the probable load at Mangalore and all the important intermediate places, such as, Calicut, Tellicherry, Cannanore, Badagara and Kasaragod;

(*e*) what the longest line from Pykara is at present and what the longest line proposed to be undertaken is;

(*f*) how do those distances compare with the distance of the places mentioned in clause (*d*) above; and

(*g*) whether the Government have explored the possibility of having a hydro-electric station in the South Kanara district?

A.—(*a*) Yes.

(*b*) A very approximate estimate was made some time ago. The cost will be about 12 lakhs.

(*c*) No.

(*d*) A load survey has been made only for Calicut.

(*e*) The main 66 K.V. line from Pykara to Coimbatore is 49 miles, the 22 K.V. tower line from Coimbatore to Erode is 58 miles and the 22 K.V. pole line from Erode to Salem is 36 miles.

There is a proposal under consideration to construct a 120-mile 66 K.V. line from Coimbatore to Trichur and Ernakulam.

(*f*) The line from Pykara to Mangalore will be about 200 miles long. The farthest point now supplied from Pykara is Salem, 143 miles.

(*g*) Hydro-electric possibilities of the South Kanara district were examined some time ago. Kunchikal Abbi scheme, the site of which is about 65 miles from Mangalore was reconnoitered in 1920 but was dropped, as it was not considered sufficiently attractive.

Mr. K. P. Raman Menon:—" May I ask the hon. the Law Member what the distance is from Pykara to Calicut? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" Seventy miles."

Mr. M. S. Sreshta:—" It is said that a load survey has been made only for Calicut. May I know the result of that survey? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" The result of the survey is that the taking of power to Calicut will prove to be profitable."

30th October, 1933]

Mr. M. S. SRESHTA:—" Is it under consideration to extend the electric line to Calicut? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Yes; in course of time."

Mr. M. S. SRESHTA:—" May I know when it would be taken up? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid I cannot give a definite answer to that question."

Mr. M. S. SRESHTA:—" With regard to clause (g), may I know from what point of view the continuation of the line to Mangalore was not found to be attractive? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" From a commercial point of view."

Mr. M. S. SRESHTA:—" May I know whether the extension of the line to Coimbatore, and further on to Erode and Salem, has been found attractive? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Yes, Sir."

Mr. M. S. SRESHTA:—" May I know exactly on what facts the Government come to the conclusion that any line would be commercially profitable or not? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" We take a survey of the load and then of the cost, and then we compare one with the other and see whether ultimately the transaction will prove profitable or not."

Mr. M. S. SRESHTA:—" In these commercial matters, is there not a principle governing them, that the provision of a facility creates the demand for it? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" To some extent."

Mr. M. S. SRESHTA:—" Will that principle be borne in mind in considering the question whether the line should be extended to Mangalore or not? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" When that question is taken up, it will be considered."

Forests

Judicial decision in the dispute between the Courtallam temple and the Government in re: their respective rights to the Courtallam waterfalls.

* 118 *Q.*—Mr. A. Pl. N. V. NADIMUTHU PILLAI: Will the hon. the Law Member be pleased to call for and place before the Council the copy of the latest judicial decision in regard to the rights of the Courtallam Waterfalls (Tinnevelly district) which were in dispute between the Courtallam temple on the one side and the Government on the other?

[30th October 1933

A.—The hon. Member presumably refers to the order passed by the Judicial Committee of the Privy Council in 1917. A copy of it is placed on the table.[a]

Reservation of the Chittaruvi Waterfalls for Europeans and Officers exclusively.

* 119 *Q*.—Mr. A. Pl. N. V. Nadimuthu Pillai: Will the hon. the Law Member be pleased to state whether it is a fact that the Chittaruvi Waterfalls in the Reserve Forest is reserved for Europeans and Officers only?

A.—No.

Mr. V. T. Arasu:—"May I know whether the hon. the Law Member is aware that the Forest officer in charge of this area has put up an enclosure round this falls and is restricting admission to this falls to a favoured few like Europeans and officers of Government?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"My Friend is partially right and partially wrong. He is right in saying that the Forest officers have put up an enclosure, but he is wrong in thinking that it is intended for the convenience of Europeans and officers. It is intended for respectable Indians and Gosha ladies. As a matter of fact, the Europeans now-a-days do not generally bathe in these falls."

Reservation of forests in South Kanara.

* 120 *Q*.—Mr. U. C. Subrahmanya Bhatt: Will the hon. the Law Member be pleased to state—

(*a*) when the forests of Todar and Hosabettu in South Kanara district were declared to be reserved;

(*b*) to what class did the said forest belong and what the character and condition of the forest and the growth of trees on it were;

(*c*) if they were treated as fuel forests, whether they have served and do serve the purpose for which they were reserved without the expenditure thereof exceeding the profits;

(*d*) when the forest village system was introduced in the adjoining villages in respect to the said forests and under what concessions;

(*e*) whether the system has been withdrawn and for what reasons; and if so, whether notices of warning were given to the villagers and in what manner; and

(*f*) whether representations have been received from the villagers concerned and from others and what action has been taken concerning the said grievances?

A.—(*a*) They were declared reserved forests from 15th December 1890 and 1st September 1888 respectively.

(*b*) The forests were not classified at the time of reservation. They are at present in class I. At the time of reservation the forests had been greatly devastated by kumri cultivation. The subsequent growth consists mainly of fuel species.

[a] Printed as Appendix I on pages 116–117 infra.

30th October 1933]

(c) The forests have never been worked for fuel.

(d) The forest village system was introduced in the adjoining villages in respect of these forests in 1923. The concessions granted are contained in the agreements executed by the panchayats. A copy of the agreement[a] executed by the panchayat of Todar is appended. The concessions are the same for both the panchayats.

(e) The forest village system has not been withdrawn but certain concessions granted to the panchayats were withdrawn after adequate notice by publication in the District Gazette and by beat of tom-tom in the villages concerned. The Range Officer was also directed to inform all the villagers of the withdrawal of the concessions.

(f) No representation was received until 30th March 1933 although adequate steps had been taken to make sure that every village concerned was informed at least twice of the withdrawal of the concessions as long ago as last January.

Mr. U. C. Subrahmanya Bhatt:—" With reference to clause (f), may I know as to whether any representations have been made to the Forest Officer? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" Representations have been made to the Government."

Mr. U. C. Subrahmanya Bhatt:—" Then why does the answer say that no representation has been received at all? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" No representation was received by anybody till that date; after that, representations were received by Government."

Mr. A. B. Shetty:—" May I know whether the resolution passed by the meeting called by the South Kanara District Landholders' Association was not communicated to Government before 30th March 1933? "

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—" Government received no communication or representation on that subject before that date."

Reservation of the Hosabettu and Todar reserve forests.

* 121 Q.—Mr. M. S. Sreshta: Will the hon. the Law Member be pleased to state—

(a) how many acres of lands have gone out of cultivation since Hosabettu and Todar reserve forests were formed;

(b) what income has been derived from those reserve forests every year since they were reserved and what has been the expenditure on them every year; and

(c) how many cattle of the adjoining villages were destroyed by wild animals since the reservation of these forests?

[a] Printed as Appendix II on pages 117–119 infra.

A.—(*a*) The Todar reserve was formed with effect from 15th December 1890 and Hosabettu with effect from 1st September 1888. No lands have gone out of cultivation within the last ten years owing to their being in the neighbourhood of these reserves. No information is available for the period prior to that.

(*b*) A statement [a] is appended showing the income from these forests from 1905–06 and the expenditure from 1897–98 up to date.

(*c*) The following are the number of cattle destroyed by wild animals in the neighbouring villages of Todar, Puchamogaru and Hosabettu:—

Name of village.	1930.	1931.	1932.
Todar	1	10	3
Puchamogaru	23	16	17
Hosabettu	..	14	19

No information is available for the period previous to 1930.

Mr. M. S. Sreshta:—"With regard to clause (*b*), may I know whether any forecasts have been made at any time to find out whether the revenue will exceed the expenditure?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"These are not intended for revenue purposes; so I am afraid the revenue will not ordinarily exceed the expenditure."

Mr. M. S. Sreshta:—"May I know why these forests have been made reserved forests?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"For climatic and other purposes."

Mr. M. S. Sreshta:—"Is it for climatic purposes that forests are made reserved forests, while on the other hand considerable hardship is caused to the public? If that is the reason, I want to ask the hon. the Law Member on what facts has his conclusion been based?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"General knowledge of forestry."

Mr. U. C. Subrahmanya Bhatt:—"May I know whether it is not a fact that the growth of these reserved forests causes also the growth of malaria in the vicinity?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"No, Sir."

Mr. U. C. Subrahmanya Bhatt:—"May I know whether the Malaria officer, who was sent to investigate this question, has not found that the growth of forests was one of the reasons?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"Notice."

Mr. M. S. Sreshta:—"Is not the hypothetical climate reason outweighed by the hardship to the public caused by reservation?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar:—"I deny both the premises and the conclusion of my hon. Friend."

[a] Printed as Appendix III on page 120 infra.

30th October 1933]

Withdrawal of forest concessions in South Kanara.

* 122. *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(*a*) whether there are villages in South Kanara where forest concessions have been existing without the forest village system; and what the said concessions are and in which villages they have been existing;

(*b*) whether any of such concessions which the villagers have been enjoying have been withdrawn or are going to be withdrawn; if so, which of the concessions are to be withdrawn and for what reasons; and

(*c*) whether such concessions are allowed or are going to be allowed in villages from which forest panchayats are withdrawn; if not, for what reasons?

A.—(*a*) Yes. The hon. Member is referred to the answer given to question No. 743 asked at the meeting of the Legislative Council held on the 22nd March 1933. The concessions were extended to all the reserves in the South Kanara district.

(*b*) The withdrawal is in respect of all the concessions. They were withdrawn because they were reported to have been much abused.

(*c*) Panchayats under the forest village system have not been withdrawn. The question of withdrawal does not therefore arise.

Proceedings of a meeting held on the 11th July 1933 at Nayakanakatte in Coondapoor taluk, regarding certain forest grievances.

* 123 *Q.*—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have received a copy of the proceedings of a meeting held on the 11th July 1933 at Nayakanakatte in Coondapoor taluk;

(*b*) whether they have considered the grievances set forth in the resolutions passed at the meeting; and

(*c*) whether they propose to restore the concessions which the people had in the matter of removing manure leaves and fuel from the reserves?

A.—(*a*) Yes.
(*b*) Yes.
(*c*) No.

Mr. A. B. SHETTY:—" May I know whether the Government have enquired and found out that the ryots living in the vicinity of the reserved forests depend on manure leaves from those forests for their cultivation? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Government are not aware of it."

[30th October 1933

Mr. A. B. SHETTY:—" Will the Government be pleased to make enquiries?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I shall look into the matter."

Prisons and Prisoners

Police surveillance of Mappilla prisoners released before the expiry of their term of imprisonment.

* 124 *Q.*—B. POCKER SAHIB Bahadur: Will the hon. the Law Member be pleased to state—

(*a*) whether any conditions have been imposed on those Mappillas who were convicted of offences connected with the Malabar Rebellion of 1921 and who have been released by the Government before the expiry of their terms;

(*b*) if so, what those conditions are;

(*c*) whether such Mappillas are required to present themselves before the police periodically at the respective police stations of their residence, after their return to Malabar;

(*d*) if so, whether the period during which they are so required to present themselves before the police is more than the period during which such Mappillas would have had to remain in prison, if no remission had been made;

(*e*) whether the Government are aware that many such Mappillas who are so released reside in places which are at very great distance from the police station and that the periodical presentation of themselves at the police station causes great hardship to such Mappillas; and

(*f*) whether the Government have considered the advisability of requiring such Mappillas to present themselves before the adhikari of their respective amsams or any responsible Government officers in their respective amsams, instead of requiring them to present themselves at the police stations?

A.—(*a*) Yes.

(*b*) The conditions are—

(1) that they shall remain of good behaviour; and

(2) that they shall report themselves once a month at a police station to be specified by the District Magistrate of Malabar up to the date on which they would normally have been released.

(*c*) Yes.

(*d*) No.

(*e*) & (*f*) No general complaint on the point has been received by Government. Where, however, it has been found that men are unable to move about on account either of old age, ill-health or other causes, Government have on the recommendation of the District Magistrate of Malabar either exempted them wholly from reporting themselves to the police periodically or ordered them to report themselves to the amsam adhikari instead of to the police.

30th October 1933]

Mr. ABDUL HAMEED KHAN:—"May I know whether the hon. the Law Member will be pleased to revise the order and allow these men to report themselves to the adhikari of their respective amsams instead of to the police, in view of the fact that they are very poor people and unfortunately are not in a position to appeal to Government with regard to their disabilities?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"If my hon. Friend reads the printed answer to questions (e) and (f) he will find that in necessary cases the Government have already adopted those steps."

Mr. ABDUL HAMEED KHAN:—"There is a general complaint prevalent about the difficulties these people are put to; that is why I ask him whether in the case of all these persons a revised order will not be passed allowing them to report not to the police but to the adhikari of their respective amsams?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The Government are not prepared to pass such a general order. But if individual complaints are received, Government will certainly consider them and pass orders."

Mr. ABDUL HAMEED KHAN:—"May I know whether, if the Mappilla hon. Members from Malabar bring to the notice of the hon. the Law Member the difficulties these people are experiencing, Government will consider it?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"In all these cases where difficulty has been experienced, orders have been passed in their favour."

Land Revenue Administration

Rates of assessment on wet, dry and garden lands in the districts of South Kanara and Malabar.

* 125 *Q.*—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) what the rates of assessment are on wet, dry and garden lands in South Kanara and in Malabar; and

(b) how the existing rates of assessment on these three classes of land in South Kanara compare with the enhanced rates of assessment as fixed by the recent resettlement on similar classes of land in Malabar?

A.—(a) & (b) The rates referred to are contained in the settlement notifications of the respective districts which have been published. Extracts are appended.[a]

Mr. U. C. SUBRAHMANYA BHATT:—"May I know as to whether it is not a fact that the enhanced rates of assessment in Malabar are much less than the present rates of assessment in South Kanara?"

[a] Printed as Appendix IV on pages 121–122 infra.

[30th October 1933

The hon. Sir ARCHIBALD CAMPBELL:—" I would draw the hon. Member's attention to the statement that has been printed as appendix to this answer, from which he will be able to verify his conclusion."

Action taken by the Government on the representations of the South Kanara District Landholders' Association and the Puttur Taluk Landholders' Association.

* 126 *Q.*—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether the representations made to the hon. the Revenue Member by the South Kanara District Landholders' Association at Mangalore and the Puttur Taluk Landholders' Association at Puttur during his recent visit to the district have been considered by the Government; and

(*b*) if so, what action has been taken in the matter?

A.—(*a*) & (*b*) The representations are still under the consideration of the Government.

Mr. BASHEER AHMED SAYEED:—" May I know what the subject-matter of this representation was? "

The hon. Sir ARCHIBALD CAMPBELL:—" I must ask for notice of that question."

Tax on coconut trees standing on poramboke in the Trichinopoly district.

* 127 *Q.*—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government are collecting 8 annas instead of 2 annas, the previous rate, as tree tax on coconut trees situated on poramboke in the Trichinopoly district;

(*b*) what the rate is of such tree tax in the Tanjore district; and

(*c*) why such enhanced tax is collected in the Trichinopoly district?

A.—(*a*) Yes.

(*b*) One anna and three pies per coconut tree in respect of trees planted before 1st July 1927 over which the Government have recognized the proprietary rights of the owners. For trees planted after that date a rate of 8 annas per tree is being levied.

(*c*) The tax on coconut trees was revised in the year 1921 in all districts but in view of the peculiar history of the tree-tax system in the Tanjore district, the old rate, viz., one anna and three pies per coconut tree, was allowed to continue in that district for trees over which the Government have recognized proprietary rights. The attention of the hon. Member is invited to G.Os. No. 2207, Revenue, dated 4th October 1921, No. 136, Revenue, dated 24th January 1923, and No. 1184, Revenue, dated 22nd June 1927,

which have been made available to the Press. The tax on other coconut trees in the Tanjore district is the same as that levied in the Trichinopoly district.

Mr. K. SINGAM AYYANGAR :—" With reference to the answer to clause (c), may I know what 'the peculiar history of the tree-tax system in the Tanjore district' is? Is it based on climatic conditions? "

The hon. Sir ARCHIBALD CAMPBELL :—" I am sorry I must ask for notice of that question."

Sale of lands in the North Arcot district during the kist season of fasli 1342.

* 128 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Member for Revenue be pleased—

(*a*) to give talukwar figures in the North Arcot district for land sales during the kist season from the first month of the kistbandi of fasli 1342; and

(*b*) to state—

(i) whether it is a fact that tahsildars have advised the village officers to proceed with the land sales;

(ii) whether the village officers were compelled to pay from their pockets the land tax due from the defaulters at the end of the kist season; and

(iii) if so, in how many cases (figures may be furnished talukwar)?

A.—(*a*) A statement [a] is annexed.

(*b*) (i) The Government have no information.

(ii) The answer is in the negative.

Mr. BASHEER AHMED SAYEED :—" May I know whether the Government will be able to tell this House the reasons for this abnormal number of sales amounting to 244 and 163 in the taluks of Wallajah and Arkonam? "

The hon. Sir ARCHIBALD CAMPBELL :—" I have not got the information; I shall call for it."

Protection of wild birds and animals

Cattle destroyed by wild beasts in South Kanara.

* 129 *Q.*—Mr. U. C. SUBRAHMANYA BHATT : Will the hon. the Member for Revenue be pleased to place on the table of the House a statement showing the number of heads of cattle carried away by wild beasts in the villages of South Kanara, during the years 1928–29 to 1931–32 and to state—

(*a*) whether the statistics of the cattle killed by wild beasts are published in Government publication, and if not, what the reasons are for not publishing;

[a] Printed as Appendix V on page 123 infra.

[30th October 1933

(b) what the various kinds of wild beasts thriving in South Kanara are;

(c) whether their number is increasing with the growth of reserve forests and their improvement in the district;

(d) what steps the Government have taken to check the increase and depredation of wild beasts; and

(e) what facilities are placed at the disposal of cultivators for checking such depredation?

A.—A statement is annexed.[a]

(*a*) No. Until 1916 the statistics were included in the Annual return showing the measures taken for the destruction of wild animals submitted to the Government by the Board of Revenue. In 1916 this Government at the instance of the Government of India ordered that the particulars showing the number of cattle killed by wild animals should be omitted from the return. The return was discontinued altogether from 1929 as it was considered that the figures given were unreliable.

(*b*) & (*c*) Wild animals which may be dangerous to life are tigers, panthers, and elephants; others that may be destructive of crops are deer, monkeys and pigs.

The Government are not aware whether the numbers of such animals are increasing.

(*d*) The Government offer and grant rewards for the destruction of certain wild animals. The hon. Member's attention is invited to Board's Standing Order No. 196.

(*e*) People are allowed to hunt certain species of wild animals in reserved forests during July to January subject to the condition that the previous permission of the Collector or the Revenue Divisional Officer is obtained and that an officer of the Forest Department is present at the time of the hunt. Gun licences are also granted by the District Magistrate at his discretion.

Secretariat

Appointment of outsiders as superintendents in the Secretariat.

* 130 *Q.*—B. Pocker Sahib Bahadur: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that, in some of the vacancies that arose in the cadre of superintendents in some of the departments of the Secretariat during the past one year, outsiders working as head clerks or managers in city offices were appointed as superintendents in the Secretariat; and

(*b*) if so, the names of the persons so appointed with their qualifications and the pay drawn at the time of the appointment as superintendent?

[a] Printed as Appendix VI on page 123 infra.

30th October, 1933]

A.—(*a*) Yes.

(*b*) The information is given below :—

Name of superintendent.	Qualification.	Pay drawn before appointment as superintendent.
		RS.
	Development Department.	
M.R.Ry. V. S. Mahadeva Ayyar Avargal, Manager, office of the Director of Industries.	B.A., Revenue Test, Criminal Judicial Test, Account Test, Survey Training, Revenue Inspector's Training, previous experience as clerk for nearly 12 years and as Superintendent for six months in the Secretariat.	240
	Finance (Marine) Section.	
M.R.Ry. K. Appuswami Ayyar, Head clerk, Presidency Port office.	S.S.L.C.; Book-keeping, Theory and Practice of Commerce (Inter.), Typewriting (Ele.), Account Test (First Class), P.W. Account Test, Port Department Test, 17 years' experience in various offices in the Marine department.	135

Local Fund Audit

Half-yearly audit of the accounts of taluk boards.

* 131 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Finance be pleased to state—

(*a*) whether the Government contemplate introducing the system of half-yearly audit in the case of taluk boards as in the case of municipalities; and

(*b*) whether the Government contemplate including panchayat boards under Local Fund Audit?

A.—(*a*) No.

(*b*) The accounts of such panchayats as were union boards on the 25th August 1930 are audited by the Local Fund Audit department and the accounts of all other panchayats are inspected and checked by Tahsildars and Deputy Tahsildars. It is not proposed to make any change in the present procedure.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether it is not advisable to extend the Local Fund Audit to the panchayat boards also? "

The hon. Mr. H. G. STOKES:—" It may be advisable, but the number of panchayats is so large and the cost involved may be so heavy for them to bear that it has not been considered necessary to extend this system to them also."

[30th October 1933

Mr. P. V. Krishnayya Choudari:—"Are not the panchayats spending more money than the regular union boards?"

The hon. Mr. H. G. Stokes:—"Notice, Sir."

Local Self-Government

Reasons for the supersession of the Bezwada Municipal Council.

* 132 *Q.*—Rai Sahib C. Kolanda Reddi: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) why the Bezwada municipality was superseded;

(*b*) whether it was because it failed to pass its budget before 31st March 1933;

(*c*) how many and which of the municipalities and local boards did not pass their budgets before 31st March 1933;

(*d*) why were they not superseded and why was Bezwada municipality alone singled out for supersession;

(*e*) what the date was of supersession of the Bezwada municipality and what the date was of the Kistna District Board elections;

(*f*) when was the order of supersession passed and when was it notified in the Gazette;

(*g*) whether it is not a fact that the budget of the Bezwada municipality was passed soon after the notice to show cause why it should not be superseded was served on it;

(*h*) whether it is not a fact that 20 out of 32 councillors, who formed chairman's party put in a petition that the Council should not be superseded, especially in view of the fact that a Commissioner was shortly to be appointed;

(*i*) whether a deputation waited on the Chief Minister at Ootacamund and showed cause why the Council should not be superseded; and

(*j*) whether the failure to pass the budget before the end of March was the sole ground mentioned in the notice to show cause why the Council should not be superseded?

A.—(*a*) The grounds on which the Bezwada Municipal Council was superseded are stated in G.O. No. 1387, L. & M., dated 7th April 1933, and paragraph 1 of G.O. No. 1589, L. & M., dated 25th April 1933. Copies of the orders referred to are placed on the table. [a]

(*b*) One of the several reasons was that the council persistently refused to pass the budget for 1933–34, in spite of a clear warning from Government.

(*c*) So far as information is available, eight municipalities (Guntur, Bezwada, Palni, Palacole, Vizagapatam, Vaniyambadi, Tiruppattur and Chittoor), four District Boards (East Godavari, Madura, Malabar and Nellore) and fourteen taluk boards did not pass their budgets before 31st March 1933.

[a] Printed as Appendix VII on pages 123–125 infra.

30th October 1933]

(d) As already stated, the failure to pass the budget before 31st March 1933 was not the only reason why Bezwada Municipal Council was superseded. There were several other cogent reasons which did not exist in the case of other local bodies.

(e) 25th April 1933 and 2nd May 1933 respectively.

(f) The order was issued on 25th April 1933 and was notified in the *Fort St. George Gazette* on the same day.

(g) The Chairman informed Government that the budget was passed at a meeting of the council held on 12th April 1933 which was attended by 15 councillors only. Government also received a telegram and a petition from 17 councillors of the opposite faction to the effect that they abstained from attending the meeting, apprehending a recurrence of the disorder and free fight between opposing factions of the council, which disgraced the proceedings of the council on 31st March 1933.

(h) The Chairman presented a petition to that effect and stated that it had the support of 20 councillors.

(i) Yes.

(j) Vide answer to clauses (a), (b) and (d).

Mr. V. T. Arasu :—" In answer to clause (d) it is stated ' There were several other cogent reasons ' why such a step was not taken in the case of the other municipalities and taluk boards. May I request the hon. the Chief Minister to state on the floor of this House the cogent reasons that existed in the case of those municipalities and taluk boards? "

The hon. the Raja of Bobbili :—" In other cases, it was short delay in passing and sending the budget, but in those cases it is the refusal of the local bodies concerned to pass the budgets."

Mr. V. T. Arasu :—" May I know whether the hon. the Chief Minister is aware of the fact that the Bezwada municipality had passed its budget immediately after the receipt of the Government Order asking them to show cause why they should not be superseded if they did not pass the budget for the year 1933–34? "

The hon. the Raja of Bobbili :—" The answer is given there. Immediately after the orders, they refused to pass the budget. Subsequently, during the absence of the majority of councillors, the remaining councillors passed the budget."

Mr. Sami Venkatachalam Chetti :—" Did not the delay complained of occur in the regime of the previous chairman? "

The hon. the Raja of Bobbili :—" No, Sir."

Mr. V. T. Arasu :—" May I know the date on which the Government sent their notice asking the municipality to have their budget estimates passed? "

The hon. the Raja of Bobbili :—" I must ask for notice."

[30th October 1933

Mr. V. T. Arasu:—"May I know from the hon. the Minister the date on which the meeting of the Bezwada municipality was held at which the budget estimates were adopted?"

The hon. the Raja of Bobbili:—"I must ask for notice."

Mr. V. T. Arasu:—"May I know whether the hon. the Minister is aware that not more than one week had elapsed between the receipt of the notice of Government and the passing of the budget estimates?"

The hon. the Raja of Bobbili:—"When the order was issued the municipality actually rejected the budget; subsequently they passed it."

Mr. M. A. Manikkavelu Nayakar:—"Is the hon. the Minister proposing to supersede any other municipalities?"

Service record of Mr. B. Adiseshiah, Special Officer, Bezwada municipality.

* 133 *Q.*—Rai Sahib C. Kolanda Reddi: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether Mr. B. Adiseshiah, the Special Officer of Bezwada municipality, is only an acting tahsildar and a permanent clerk;

(*b*) why a Deputy Collector was not appointed as Special Officer of the Bezwada municipality; and

(*c*) whether he is functioning now both as receiver of Bobbili villages and as Special Officer of the Bezwada municipality?

A.—(*a*) No; he is a permanent Tahsildar.

(*b*) Because the finances of the municipality could not afford a special officer of the grade of Deputy Collector.

(*c*) Yes.

Mr. V. T. Arasu:—"May I know whether the Government have received any complaint from the residents of either Guntur or Kistna district making certain allegations against this officer while he was Tahsildar of the Guntur district?"

The hon. the Raja of Bobbili:—"I have no information."

Mr. Sami Venkatachalam Chetti:—"May I know from the hon. the Minister whether Mr. Adiseshiah is employed by the court as a Receiver of Bobbili villages or is he a private employee of the hon. the Raja of Bobbili?"

The hon. the Raja of Bobbili:—"He was appointed by the District Court as a Receiver."

Mr. Sami Venkatachalam Chetti:—"Is he then part-time servant so far as Bezwada municipality was concerned?"

The hon. the Raja of Bobbili:—"Yes, Sir."

Mr. Sami Venkatachalam Chetti:—"Does he therefore draw some remuneration as the Receiver of Bobbili villages?"

The hon. the Raja of Bobbili:—"He was drawing remuneration for his work."

Mr. SAMI VENKATACHALAM CHETTI :—" Does the hon. the Minister see the impropriety of appointing a person who was appointed as Receiver by the court for Bobbili villages, as Special Officer under his jurisdiction ? "

The hon. the RAJA OF BOBBILI :—" This particular officer was selected by the Board of Revenue. At that time I was not aware of it."

Mr. SAMI VENKATACHALAM CHETTI :—" Now that he is aware of it, will he withdraw that officer from the municipality? "

The hon. the RAJA OF BOBBILI :—" As long as there was the vacation, it was not possible to apply to the District Court to release this officer from the duties of Receiver. Soon after the opening of the Court another Receiver has been appointed and this officer no longer continues there."

Mr. P. V. KRISHNAYYA CHOUDARI :—" Could he take two remunerations from two departments? "

The hon. the RAJA OF BOBBILI :—" I see no objection to it."

Mr. P. V. KRISHNAYYA CHOUDARI :—" Is it not necessary that the Government should permit him to receive separate remunerations? "

The hon. the RAJA OF BOBBILI :—" That is a separate remuneration as a Special Officer; he also draws remuneration for the office of Receiver."

Mr. K. P. RAMAN MENON :—" What is the pay he receives as Special Officer? "

The hon. the RAJA OF BOBBILI :—" The usual pay drawn by Tahsildars in Government service plus special pay of Rs. 35."

Unauthorized expenditure on the Trichinopoly Water-works.

* 134 *Q.*—Mr. K. SINGAM AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the report called for by the Government from the Chairman, Municipal Council, Trichinopoly, in connexion with the unauthorized expenditure made in the water-works has been received; if so, when and what further action has been taken;

(*b*) whether the Sanitary Engineer inspected the water-works; if so, when and what the result is of his inspection and report on the matter; and

(*c*) whether the Collector, Trichinopoly, made a report regarding the interpolation by the Chairman, Municipal Council, Trichinopoly, in the minutes book; if so, when and what the orders of the Government are on the same?

A.—(*a*) & (*b*) The Chairman's report was received on the 28th March 1933 and it was referred to the Sanitary Engineer on the 11th April 1933. The Sanitary Engineer inspected the works from the 26th to the 29th April 1933. His report has since been received and it is now under the consideration of the Government.

[30th October 1933

(c) Yes. The Collector's report was received on the 19th June and he has been asked to hold an enquiry.

Mr. K. Singam Ayyangar :—" May I know if the Collector's report has been received, what is the result of that enquiry? "

The hon. the Raja of Bobbili :—" The Collector's report has been received and it is under the consideration of the Government."

Mr. Basheer Ahmed Sayeed :—" May I know when the Government will pass orders on that report? "

The hon. the Raja of Bobbili :—" Very shortly; in the next few days."

Mr. Sami Venkatachalam Chetti :—" When was it received? "

The hon. the Raja of Bobbili :—" About two or three weeks back."

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur :—" May I know when the Sanitary Engineer's report referred to in clauses (a) and (b) of the answer was received? "

11-45 a.m. The hon. the Raja of Bobbili :—" I am afraid I cannot give the exact date. It was received sometime after the Collector's enquiry."

Mr. Basheer Ahmed Sayeed :—" May I ask why so much time is taken to pass orders on the Sanitary Engineer's report? "

The hon. the Raja of Bobbili :—" The Sanitary Engineer's report does not require any immediate orders of Government."

Mr. Sami Venkatachalam Chetti :—" Is it alleged that the Chairman has executed certain works which are unauthorized? "

The hon. the Raja of Bobbili :—" Yes, Sir; that is a fact."

Appointment of Panchayat Officers.

* 135 *Q.*—Mr. P. V. Krishnayya Choudari : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) in how many districts panchayat officers have been appointed;

(b) in how many cases the posts were advertised for and in how many not;

(c) what the qualifications are of the officers appointed in each case;

(d) in how many cases were the appointments approved by the Government;

(e) in what boards was the approval given;

(f) what the districts are to which the Government did not give approval;

(g) what the qualifications, age and scale of pay are of the panchayat officer appointed by the Kistna District Board and approved by the Government;

(h) what the qualifications, age, etc., are of the candidate selected by the District Board, Guntur;

30th October 1933]

(i) what the reasons were that led the Government to refuse approval in this case;

(j) whether the Kistna District Board advertised for the post; and

(k) if so, the qualifications of the other candidates who applied for the post?

A.—(a) Fourteen District Boards have employed District Panchayat Officers.

(b) Government have no information.

(c) The qualifications laid down by Government for District Panchayat Officers are the general educational qualification prescribed in Article 1 of the Public Service Notification and a pass in the Account Test. Government have however no information as to the qualifications possessed by each of the District Panchayat Officers.

(d) & (e) Government issued orders in G.O. No. 1430, L. & M., dated the 11th April 1933, requiring the Presidents of District Boards to obtain their approval to the appointment of District Panchayat Officers made by them. With reference to these orders the Government accorded their approval in the case of the appointments made by the Presidents of the Madura and South Arcot District Boards. In the meanwhile, Government have taken power to appoint District Panchayat Officers themselves and pending appointments to be made by them shortly, the nominees in other cases have been allowed to continue in their posts, as a temporary measure.

(f) Guntur.

(g) The nominee proposed for appointment as District Panchayat Officer under the Kistna District Board was a matriculate who had passed the Account Test and who was reported to be aged 48 years. The pay proposed for him was Rs. 200 per mensem, the pay drawn by him as manager of the same District Board office. The appointment, however, was not made by the President, District Board.

(h) The candidate selected by the President, District Board, Guntur, for appointment as District Panchayat Officer was a graduate in Arts and Law and was reported to be aged 29 years.

(i) On the first occasion the post was not actually in existence when the appointment was made and on the second occasion Government decided to make the appointment themselves as they proposed to take powers to appoint District Panchayat Officers in the case of all districts. Moreover numerous protests were received against the appointment of the President's nominee.

(j) & (k) Government have no information.

[30th October 1933

Mr. P. V. Krishnayya Choudari:—"May I know whether the Government have ascertained whether the Kistna District Board advertised for this post or not?"

The hon. the Raja of Bobbili:—"No, Sir."

Mr. P. V. Krishnayya Choudari:—"May I know what made the Government refuse their approval to the appointment made for Guntur and sanction the appointment made by the Kistna District Board?"

The hon. the Raja of Bobbili:—"As at the time of making the appointment for Guntur the Government got power to make its selection, they did so and appointed their own men."

Mr. V. M. Ramaswami Mudaliyar:—"May I ask, Sir, whether the Government have got any proposal for the retention of the district panchayat officers already appointed?"

The hon. the Raja of Bobbili:—"All those officers who are qualified will be retained."

Mr. V. T. Arasu:—"May I know why in the case of the Guntur district alone Government have thought fit not to permit them to appoint their own panchayat officer?"

The hon. the Raja of Bobbili:—"The answer says that when the first appointment was made, there was no resolution of the district board sanctioning the post and that when the district board made the appointment the second time, the Government had already taken power to make the appointment themselves."

Mr. Sami Venkatachalam Chetti:—"Has the President, Kistna District Board, appointed a person for the similar post in that district?"

The hon. the Raja of Bobbili:—"Yes, he has asked Government for permission to make the appointment. The appointment has not actually been made."

Mr. Sami Venkatachalam Chetti:—"What was the order issued by the Government on that request?"

The hon. the Raja of Bobbili:—"The Government have ordered to make the appointment."

Mr. Basheer Ahmed Sayeed:—"After the Government took power to make the appointment themselves, what prevented them from appointing the President's nominee for Guntur?"

The hon. the Raja of Bobbili:—"The Government felt that it was necessary to make the appointments in the case of all districts simultaneously."

Mr. P. V. Krishnayya Choudari:—"Are the Government advertising for the post, Sir?"

The hon. the Raja of Bobbili:—"No, Sir."

Mr. V. T. Arasu:—"May I ask if the hon. Minister is aware that even after the passing of the amending Act, the Government have

permitted several district boards to appoint their own officers and that it is only in the case of the Guntur District Board they have thought fit not to give that permission? "

The hon. the RAJA OF BOBBILI:—" The Government have issued a circular to the effect that from a particular date no appointment should be made by any local body and since that date they have not allowed the local bodies to make these appointments."

Mr. V. T. ARASU:—" Am I to understand then that the Government have not since then permitted any district board to appoint its own panchayat officer? "

The hon. the RAJA OF BOBBILI:—" After the passing of the order, as far as I am aware, no local body has been permitted to make its own appointment."

Mr. SAMI VENKATACHALAM CHETTI:—" May I know what prevents the Government from withdrawing this order allowing the local bodies to make their own appointments? "

The hon. the RAJA OF BOBBILI:—" According to the amended Act passed by this House, it was considered desirable to provincialize these services. In pursuance of that policy the Government are making these appointments themselves."

Mr. SAMI VENKATACHALAM CHETTI:—" Will the hon. the Minister further explain his provincialization scheme and say whether he has prescribed the necessary qualifications and so on, and whether he has asked the Public Services Commission to make selections for these posts or whether he is himself going to make these appointments? "

The hon. the RAJA OF BOBBILI:—" Qualifications have already been prescribed and the Inspector of Municipal Councils and Local Bodies has been constituted the selecting authority. Some appointments have already been made."

Mr. ABDUL HAMEED KHAN:—" May I know from the hon. Minister whether the Government have also formulated the further policy of acting against the wishes of the municipal councils, making their own appointments and thrusting their own officers on the municipal councils? "

The hon. the RAJA OF BOBBILI:—" That question does not arise."

Mr. V. P. NARAYANAN NAMBIYAR:—" May I know whether the first appointment to the Guntur District Board was made on the recommendation of that board? "

The hon. the RAJA OF BOBBILI:—" Yes, Sir."

Mr. V. P. NARAYANAN NAMBIYAR:—" Is it a fact that in the resolution of the board no particular date was mentioned for the appointment of the panchayat officer? "

The hon. the RAJA OF BOBBILI:—" I believe so."

Mr. SAMI VENKATACHALAM CHETTI:—" May I know whether, in making these appointments, the communal ratio will be borne in mind? "

[30th October 1933

The hon. the RAJA OF BOBBILI :—" In making his recommendations, the Inspector of Municipal Councils has been directed to remember this question."

Mr. V. T. ARASU :—" The Government are stated to have recently appointed certain panchayat officers to certain districts. May I know whether they have done so in accordance with their provincialization scheme? "

The hon. the RAJA OF BOBBILI :—" I must ask for notice of the question."

Principles governing the distribution of grants among the Panchayat Boards for roads and water works.

* 136 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI : Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) what the amounts placed at the disposal of the Inspector of Local Boards are for distribution among panchayats for (i) roads and (ii) water works, separately during 1932–33;

(*b*) how the amount was distributed districtwar; and

(*c*) what the principles adopted were for such distribution?

A.—(*a*) (i) Rupees 2,50,000.

(ii) Rupees 1,10,000.

(*b*) A statement[a] is laid on the table. The unit of distribution is the panchayat and not the district.

(*c*) The main principle was to make the distribution as equitable as possible and to serve as many panchayats as possible. The panchayats were taken up in order of the backwardness of the district concerned, the panchayats in the most backward districts being taken first and, as far as possible, given whatever they wanted consistently with the claims of other similarly circumstanced panchayats. Then the applications from panchayats in the less backward districts were taken up and disposed of in order. In order to be fair to all panchayats alike, applications from panchayats which received no grants or meagre grants in previous years were given preference over applications from panchayats which had received adequate grants in the past. And in order to serve the maximum number of panchayats, other things being equal, estimates for limited amounts were sanctioned in preference to estimates for large amounts. Estimates for very large works were turned down as they were not likely to be completed before the close of the year and as Government could not be committed to expenditure in future years on their account. Applications from panchayats which had made default in previous years and allowed funds to lapse in the absence of very good reasons were, as a rule, turned down.

[a] Printed as Appendix VIII on page 125 infra.

30th October 1933]

Prosecution by the Police for the non-payment of motor tax.

* 137 *Q.*—Mr. P. V. Krishnayya Choudari: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the Government are aware that for non-payment of motor tax, the Police are launching prosecutions without giving any notice and without giving any opportunity to owners to pay the tax without being prosecuted;

(*b*) whether it is a fact that such prosecutions for non-payment have been launched after the fixed date without finding out whether the tax had been paid after the given date; and

(*c*) whether the Government have any proposal before them of amending the rules with a view to lessen the difficulties of the owners of motor vehicles?

A.—(*a*) The Government have issued instructions to the effect that owners of motor vehicles should be allowed a week's period of grace within which to pay the tax due before action is taken to prosecute them. The Government have no reason to think that these instructions are not being observed.

(*b*) No such instance has come to the notice of the Government.

(*c*) No. If any suggestions are received, they will be duly considered.

Agriculture

Contributions to the United Planters' Association of South India.

* 138 *Q.*—Mr. V. M. Ramaswami Mudaliyar: Will the hon. the Minister for Public Works be pleased to state—

(*a*) whether any contribution is paid by the Government to the United Planters' Association of South India and, if so, what the extent and purpose is of their contribution; and

(*b*) whether Indians are allowed as members of the said association?

A.—(*a*) A contribution of Rs. 28,000 per annum is paid to the Association for the conduct of scientific work in connexion with the planting industries in Southern India.

(*b*) Yes.

Mr. V. M. Ramaswami Mudaliyar:—"With reference to the answer to clause (*a*) of this question, may I ask the nature of the scientific work conducted by the United Planters' Association of South India?"

The hon. Mr. P. T. Rajan:—"I must ask for notice."

Mr. V. M. Ramaswami Mudaliyar:—"May I ask whether the Government have at any time seen the nature of this work in view of the fact that they are making a contribution?"

The hon. Mr. P. T. Rajan:—"I must ask for notice."

Mr. V. M. Ramaswami Mudaliyar:—" May I know whether any report is submitted by this Association to the Government every year as regards the manner in which they spend this sum of Rs. 28,000?"

The hon. Mr. P. T. Rajan:—" I cannot say offhand."

Mr. T. S. Ramaswami Ayyar:—" May I know whether this is in the nature of a block grant given every year?"

The hon. Mr. P. T. Rajan:—" Yes, for a period of five years."

Mr. T. S. Ramaswami Ayyar:—" Irrespective of the work done?"

The hon. Mr. P. T. Rajan:—" For the work that has to be done."

Mr. W. K. M. Langley:—" May I ask the hon. Minister whether it is not a fact that the Members of the United Planters' Association contribute approximately three times as much as the funds contributed for research by the Government?"

The hon. Mr. P. T. Rajan:—" I believe so. This is only a part contribution from Government."

Mr. Yakub Hasan Sait:—" Will the hon. Minister call for a report for these five years?"

The hon. Mr. P. T. Rajan:—" Report about what?"

Mr. Yakub Hasan Sait:—" About the expenditure of this sum and other sums?"

The hon. Mr. P. T. Rajan:—" The matter will be considered."

Mr. Basheer Ahmed Sayeed:—" May I know in what area this research work is being carried on?"

The hon. Mr. P. T. Rajan:—" The area is the Nilgiri and neighbouring districts."

Mr. V. M. Ramaswami Mudaliyar:—" May I know the number of Indians who are members of this Association?"

The hon. Mr. P. T. Rajan:—" Notice, Sir."

Mr. V. M. Ramaswami Mudaliyar:—" May I know whether the hon. Minister will call for a report from the Association regarding the strength of Indian members?"

The hon. Mr. P. T. Rajan:—" I will call for the information."

Mr. W. K. M. Langley:—" Is it not a fact, Sir, that the research work carried on benefits all planters whether they are Indians or Europeans and whether they are Members of this Association or not?"

The hon. Mr. P. T. Rajan:—" I believe all the advantages will be available to everybody."

Mr. V. T. Arasu:—" May I know the nature of the research work supposed to be carried on by this body and for which the grant is made?"

The hon. Mr. P. T. Rajan:—" The research is in connexion with the planting industry in Southern India."

30th October 1933]

Mr. V. T. Arasu:—"Planting industry is such a wide term which may mean anything. But what is the purpose of the research?"

The hon. Mr. P. T. Rajan:—"I must have notice of the question."

Selection of Christians and members of the depressed classes for admission into the Agricultural College, Coimbatore, in 1931 and 1932.

* 139 *Q.*—Mr. M. Devadasan: Will the hon. the Minister for Public Works be pleased to state—

(*a*) how many candidates applied for admission into the Agricultural College at Coimbatore in the years 1931 and 1932;

(*b*) what the principle adopted is in the selection of candidates for the college;

(*c*) whether there were depressed classes and Christians among the applicants in the years 1931 and 1932;

(*d*) how many of them were chosen in each category; and

(*e*) how many of them were disqualified and, if so, on what grounds?

A.—(*a*) 321 and 180 fully qualified candidates applied for admission to the Agricultural College in 1931 and 1932, respectively.

(*b*) The selection of students entirely rests with a selection committee appointed by Government. As the College is intended for the scientific and practical training of those who intend to make agriculture their main profession, students are admitted without distinction of caste or creed. Endeavour is however made to ensure, as far as possible, that all parts of the Presidency are fairly represented.

(*c*) There were no depressed class applicants. The number of Christian applicants in 1931 and 1932 were five and ten, respectively.

(*d*) & (*e*) Out of five Christian applicants in 1931 only two candidates were present for the interview and they were both selected. Out of ten Christian applicants in 1932, five were present and four were selected, the other being considered by the committee not fit for selection.

Damage to coconut trees by the leaf pest.

* 140 *Q.*—Mr. M. S. Sreshta: Will the hon. the Minister for Public Works be pleased to state—

(*a*) whether representations were made to the Agricultural Department by the Collector of South Kanara and others that much damage was being done to coconut trees by the leaf pest;

(*b*) what action was thereupon taken;

(*c*) why the Pest Act was suspended some years ago;

(*d*) whether there are any statistics as to the amount of damage caused in the province by the leaf pest; and

(*e*) why the use of parasites to kill this pest was stopped?

[30th October 1933

A.—(*a*) No representation except from the hon. Member himself was received by the department.

(*b*) Attention is invited to the answer given to clause (*b*) of question No. 86 asked by Mr. A. B. Shetty, on 2nd August 1933.

(*c*) Departmental operations were suspended with effect from 1st September 1931 as they had been in force in the infected areas for a sufficiently long time to enable owners of coconut gardens to have realized the advantages of the methods employed and to have understood the *modus operandi.* The Agricultural Demonstrators continue to demonstrate the remedial measures in those areas.

(*d*) The Government have no information.

(*e*) The breeding and liberating of parasites was stopped when the staff engaged on the work was disbanded on account of financial stringency.

Mr. M. S. Sreshta:—" With reference to the answer to clause (*c*), may I know whether the Government have ascertained whether the owners of coconut gardens have realized the benefits to be derived from the methods employed by the department? "

The hon. Mr. P. T. Rajan:—" I believe the ryots have realized the benefits and that is why they are going in for these methods."

Mr. M. S. Sreshta:—" Is the hon. Minister aware that in this matter the Government have to battle against the age-long prejudices of the ryots? "

The hon. Mr. P. T. Rajan:—" I do not think so, Sir, because in the area in which these operations are going on the ryots have successfully adopted the methods introduced by the department."

Mr. M. S. Sreshta:—" Will the hon. Minister call for a report from the Collector on the question whether the owners have realized the advantages? "

The hon. Mr. P. T. Rajan:—" I do not know whether the Collector can furnish the information."

Mr. M. S. Sreshta:—" May I know from him as to who can furnish the information? "

The hon. Mr. P. T. Rajan:—" Probably the Deputy Director of South Kanara can give the information."

Mr. M. S. Sreshta:—" Will the hon. Minister be pleased to call for the information from the Deputy Director as to whether as a matter of fact the public have realized the advantage of these methods? "

The hon. Mr. P. T. Rajan:—" I shall be glad to call for the information."

30th October 1933]

Public Works

Flushing the Cooum river in the Madras City.

* 141 *Q.*—Mr. V. M. Ramaswami Mudaliyar: Will the hon. the Minister for Public Works be pleased to state—

(*a*) what progress has been made in the scheme for flushing the Cooum river in the Madras City;

(*b*) how much has been spent on this scheme; and

(*c*) what programme of work has been charted for the current year?

A.—(*a*) The scheme consists of—

(i) the installation of a pumping station in the Port Trust premises at the Madras Harbour and taking pipes therefrom to the Cooum through the Fort Moat and Kelly's Drain—Estimate Rs. 1,50,350; and

(ii) the construction of a lock over the Buckingham Canal at the Elephant Gate overbridge to reduce the cost of pumping—Estimated cost Rs. 28,150.

The pumping installation was completed three years ago. A revised estimate for the construction of the Lock Gate is under the consideration of Government.

(*b*) The expenditure on the pumping installation with subsidiary pipe lines, etc., is Rs. 1,45,642 and that on the Lock Gate so far incurred excluding the materials at site is Rs. 14,470. A sum of Rs. 2,863 was spent on removing shoals in the Cooum river during 1932–33 and a sum of Rs. 9,430 is spent on the average annually in pumping sea water into the Cooum to maintain it at a constant level.

(*c*) A sum of Rs. 20,000 has been provided for the work during the current year. Expenditure will be incurred after the revised estimate for the construction of lock gates is approved by Government.

Mr. V. M. Ramaswami Mudaliyar:—" May I know from the Minister when he expects the scheme to come to fruition? "

The hon. Mr. P. T. Rajan:—" I must have notice of the question."

Mr. Abdul Hameed Khan:—" Are the Minister and his Government satisfied that the scheme will be satisfactorily completed and that the Government will not come to this House for more money? "

The hon. Mr. P. T. Rajan:—" I cannot say anything now, Sir."

Mr. Basheer Ahmed Sayeed:—" What is the period that this scheme covers? "

The hon. Mr. P. T. Rajan:—" Notice."

Mr. Basheer Ahmed Sayeed:—" May I know during what period this sum of Rs. 1,45,642 was spent? "

The hon. Mr. P. T. Rajan:—" Notice."

[30th October 1933

Clerks' quarters at Todhunternagar.

* 142 *Q.*—Mr. M. S. Sreshta: Will the hon. the Minister for Public Works be pleased to state—

(*a*) with reference to his answer of 18th March 1933 to my second supplementary question under question 707 (vide page 355 of volume 66, No. 6), whether the question of framing definite rules in regard to the letting of the clerks' quarters at Todhunternagar has now been considered;

(*b*) if so, what rules have been framed;

(*c*) with reference to his answer on a supplementary question, under question 706 (vide page 354 of volume 66, No. 6) that he thinks that a register of applicants on the waiting list is maintained, whether such a register is in fact maintained;

(*d*) if so, since when it has been maintained;

(*e*) whether it is checked with the applications, by the Executive Engineer in charge, personally, and initialled by him;

(*f*) what the cost is of quarters of each type;

(*g*) whether there is room in Todhunternagar for the construction of more quarters; and

(*h*) what use is proposed to be made of this space?

A.—(*a*) & (*b*) The existing rules have been examined and found to require no revision.

(*c*) Yes.

(*d*) From April 1929.

(*e*) The register is checked personally by the Subdivisional Officer in charge and initialled by him.

(*f*) The cost of quarters of each type is approximately—

	RS.
A class	4,099
B class	3,142
C class	2,282

(*g*) Yes.

(*h*) No proposal for the utilization of the vacant space is pending with Government.

Mr. M. S. Sreshta:—"Are the Government considering the question of building more quarters for clerks in Todhunternagar?"

The hon. Mr. P. T. Rajan:—"They are not considering."

Mr. M. S. Sreshta:—"Will the Government consider the question now, in view of the lack of accommodation for clerks in the city?"

The hon. Mr. P. T. Rajan:—"Not at present, Sir."

Mr. M. S. Sreshta:—"May I know why it cannot be considered now?"

The hon. Mr. P. T. Rajan:—"The finances of the Government do not permit it now."

30th October 1933]

Registration

New Sub-Registry offices for South Kanara.

* 143 *Q.*—Mr. A. B. Shetty: Will the hon. the Minister for Public Works be pleased to state whether the Government propose to open any new sub-registry offices in South Kanara and, if so, when and where?

A.—No.

Mr. A. B. Shetty:—" May I know whether the Government have examined the matter and found out whether there is need for more sub-registry offices in South Kanara? "

The hon. Mr. P. T. Rajan:—" As far as the Government are aware, I do not think there is any necessity for new offices."

Inadequacy of the staff in the Sub-Registry offices in South Kanara.

* 144 *Q.*—Mr. A. B. Shetty: Will the hon. the Minister for Public Works be pleased to state—

(*a*) whether it is a fact that several of the sub-registry offices in South Kanara are undermanned;

(*b*) whether the temporary establishment of clerks has been abolished as a measure of retrenchment; and

(*c*) whether complaints have been received by the Government or the Inspector-General that the giving of certified copies and encumbrance certificates is being delayed on this account?

A.—(*a*) It is reported by the Inspector-General that some of the sub-registry offices in South Kanara are undermanned.

(*b*) Yes.

(*c*) No.

Mr. A. B. Shetty:—" In the revised answer to this question it is stated that some of the sub-registry offices are undermanned. May I know whether the Government propose to sanction additional establishment? "

The hon. Mr. P. T. Rajan:—" Yes, if there is any necessity."

Mr. A. B. Shetty:—" The answer admits that some sub-registry offices are undermanned? "

The hon. Mr. P. T. Rajan:—" Matter will be considered for making necessary arrangements."

Veterinary

Distribution of breeding bulls to the various veterinary institutions in the Province.

* 145 *Q.*—Mr. A. B. Shetty: Will the hon. the Minister for Public Works be pleased to state—

(*a*) the number of breeding stock now maintained at Hosur;

(*b*) the number stationed at different veterinary institutions; and

[30th October 1933

(c) whether the Government have considered the suggestion made during the last budget debate on the veterinary demand in regard to the advisability of distributing breeding bulls at the various veterinary institutions in the province?

A.—(a) (i) 311 cows and heifers,
(ii) 123 bulls, and
(iii) 118 calves; in all 552.
(b) 16 breeding bulls.
(c) Yes. Bulls are sent to those veterinary institutions where there is a demand for them.

Mr. P. V. Krishnayya Choudari:—" Have the Government considered the proposal made by the Bapatla Taluk Board through the Veterinary Director?"

The hon. Mr. P. T. Rajan:—" That offer will be considered when the opening of new dispensaries are contemplated."

Proposals for opening additional veterinary dispensaries.

* 146 Q.—Mr. P. V. Krishnayya Choudari: Will the hon. the Minister for Public Works be pleased to state—

(a) how many new Veterinary dispensaries are proposed to be started in the Presidency during the current year; how many in each district; and

(b) whether representations were made to the hon. Minister during his tour in the Guntur district about the difficulties arising from the absence of a dispensary for Bapatla taluk and what action he has taken or proposes to take thereon?

A.—(a) No new dispensaries are proposed to be opened during the current year.
(b) Yes. The claims of Bapatla taluk for a veterinary dispensary will be kept in view when proposals for opening new dispensaries in future are considered by Government. The places where the local bodies concerned are willing to meet the whole or a portion of the cost of maintenance of the institution will be given preference.

Education

Inauguration of a scheme of adult education.

* 147 Q.—Mr. C. Basu Dev: Will the hon. the Minister for Education and Excise be pleased to state whether any and, if so, what definite steps were taken by the present Government, i.e., by the existing Ministers since the beginning of this Council to inaugurate a scheme of adult education?

A.—A detailed scheme has been submitted by the Director of Public Instruction, but no immediate action could be taken on it on account of financial stringency.

30th October, 1933]

Mr. T. S. Ramaswami Ayyar:—"May I know when the report from the Director of Public Instruction was received?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"It was received, I think, last year or the year before when the Retrenchment Committee of which my hon. Friend was a member was functioning."

Mr. T. S. Ramaswami Ayyar:—"May I know if it requires a big report for the Government to issue orders regarding the need for adult education?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"The need for adult education is not the subject of the report. The report is concerned only with the method best suited for adult education."

Mr. T. S. Ramaswami Ayyar:—"Are the Government not aware that there is a great need for adult education in this country?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"There are many necessary things which are being delayed for want of money and of these adult education is one."

Mr. T. S. Ramaswami Ayyar:—"Have they not had enough time since 1932 to get a report on a scheme for adult education?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"We recognized the necessity for it and we called for a report and got it in 1932."

Mr. T. S. Ramaswami Ayyar:—"Did it coincide with the time when necessity for retrenchment was felt? Could not the report have been obtained earlier?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"That is a question which should have been addressed to my predecessor."

Mr. A. B. Shetty:—"May I ask whether the scheme of the Director of Public Instruction will be published for the information of the public?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"Not till orders are passed; the suggestion will be considered after that."

Mr. P. V. Krishnayya Choudari:—"May I know what for the night schools are intended other than for adult education?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"I consider that night schools if properly conducted ought to keep out pupils who are not adults."

Scheme, if any, for adult education.

* 148 *Q.*—Mr. A. B. Shetty: Will the hon. the Minister for Education and Excise be pleased to state whether the Government have under consideration any scheme of adult education? 12 noon

A.—The hon. Member is referred to the answer to question No. 147.

Revision of the S.S.L.C. scheme.

* 149 *Q.*—Mr. A. HARISCHANDRUDU: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether there are any proposals before the Government for revising the S.S.L.C. scheme;

(*b*) if so, when they are likely to be put into effect;

(*c*) whether the opinion of the different Universities in the Province has been obtained on these proposals; and

(*d*) if not, why not?

A.—(*a*) No; the matter is reported to be under the consideration of the S.S.L.C. Board.

(*b*) Does not arise.

(*c*) & (*d*) The S.S.L.C. Board has consulted the three Universities in the Province.

Revision of the S.S.L.C. curriculum.

* 150 *Q.*—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Education and Excise be pleased to state whether there is any proposal for revising the present curriculum for the Secondary School-Leaving Certificate; if so, what the details of the proposal are?

A.—The attention of the hon. Member is invited to the answer to clauses (*a*) & (*b*) of question No. 149.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know from the hon. Minister if it will be possible for him to revise the present curriculum of the Secondary School-Leaving course, if not now, at least in the next school year? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" That is a matter for the S.S.L.C. Board."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will the hon. the Minister be pleased to advise the Board to consider the matter and dispose it of at least in the next school year? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think that it is desirable that I should issue any such order to the S.S.L.C. Board; they are sure to resent it."

Expenditure on the maintenance of the Government Hobart Training and Secondary School.

* 151 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) what the nature and total value is of the endowments in favour of the Government Hobart Training and Secondary School, Madras;

(*b*) what the total income derived is from the said endowment and how the same is derived; what the nature of the investment is;

30th October, 1933]

(c) what the total annual expenditure on the maintenance of the Government Hobart Training and Secondary School is and what the detailed heads are of the charges for the last five years;

(d) what the amount of fees collected from the pupils annually for the last five years has been; and

(e) what the net saving, if any, to the Government, has been in respect of the said school during the last five years?

A.—(*a*) & (*b*) An annual income of Rs. 402 is derived from the following endowment securities in the custody of the Accountant-General, Madras:—

			RS.
(i)	A Government security in 3 per cent loan of 1896–97		100
(ii)	Do.	$3\frac{1}{2}$ per cent loan of 1865 ..	9,000
(iii)	Do.	$3\frac{1}{2}$ per cent loan of 1865 ..	2,400
			11,500

(*c*) & (*d*) The figures for the five years ending with 1931–32 are given below:—

Expenditure from Provincial funds.

Section.	1927–28.	1928–29	1929–30.	1930–31.	1931–32.
	RS.	RS.	RS.	RS.	RS.
Secondary ..	27,821	29,369	26,030	24,956	22,939
Training ..	9,354	10,258	11,708	14,761	12,970
Industrial ..	7,830	896	1,475	1,535	1,480
Total ..	45,005	40,523	39,213	41,252	37,389

Receipts from fees.

1927–28.	1928–29.	1929–30.	1930–31.	1931–32.
		RS.	RS.	RS.
Nil.	Nil.	543	581	604

(*e*) There has been no saving; the school is run at a loss to Government.

Mr. BASHEER AHMED SAYEED:—"With reference to the answer given to clause (*c*), may I know why there has been a steady fall in the expenditure from the year 1928 to 1932?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Notice."

Mr. YAKUB HASAN:—"May I know why the amount spent on the Industrial section of the school was reduced to Rs. 1,480 in 1931–32 from Rs. 1,535 in 1930–31? What industries which were being taught before have since been abolished?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Notice, Sir, before I answer such details."

Mr. ABDUL HAMEED KHAN:—"May I ask the hon. Minister to kindly enquire into the causes which were responsible for the fall in the expenditure on the institution during these years and ask him whether he will himself do the needful in the matter?"

[30th October 1933

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"If my hon. Friend means that I should make a personal enquiry, I do not think it will be possible for me to do so. I shall make such enquiry as is usual with regard to such official matters."

Language qualifications of the staff of the Government Hobart Training and Secondary School.

* 152 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state with reference to the Government Hobart Training and Secondary School—

(*a*) what the subjects taught through the medium of English are and what the subjects taught through the medium of Urdu are in the high school classes;

(*b*) how many of the teachers in the said school have undergone training in Urdu for teaching the Muslim pupils through the medium of Urdu and how many have not had such training; and

(*c*) who the former are and what their service in each case under Government is?

A.—(*a*) In the high school classes all the subjects, except Urdu, are taught through the medium of English.

(*b*) Sixteen teachers can teach in Urdu and six cannot do so.

(*c*)

Name.	Years of service.
1. Miss Dweltz	13
2. Mrs. Khamur Unissa	4
3. Mrs. Swarnammal	21
4. Mahaboob Unissa	9
5. Kareem Unissa	9
6. Kubra Begum	9
7. Sogra Begum	9
8. Ameer Unissa	3
9. Begum Jan	4
10. Puthlee Begum	4
11. Faiz Unissa	4
12. Zamruth Begum	6
13. Mumthee Begum	21
14. Chand Begum	10
15. Masson Begum	11
16. Miss Mitchell	18

Mr. BASHEER AHMED SAYEED:—"May I know whether the 16 teachers whose names are given in answer to clause (*c*) of my question are all connected only with the lower classes which are below Form I or Form III?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I cannot say that offhand."

30th October 1933]

B. POCKER SAHIB Bahadur:—"May I know with reference to the answer given in clause (b) that six teachers cannot do so in Urdu, whether Government could not find six teachers who are able to teach in Urdu?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I suppose so."

Mr. BASHEER AHMED SAYEED:—"May I ask whether it is not a fact that the six teachers who cannot teach in Urdu are in charge of the higher classes in the High School?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I cannot say off hand."

Mr. ABDUL HAMEED KHAN:—"With reference to the answer given in clause (c) may I know what the qualifications of those teachers are to teach Urdu?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Notice."

Mr. V. T. ARASU:—"May I know whether it is not a fact that in the higher classes the medium of instruction is English and therefore a knowledge of Urdu is not necessary?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes. So it necessarily follows that these teachers need not know Urdu."

Mr. ABDUL HAMEED KHAN:—"May I know whether the University allows candidates appearing for the S.S.L.C. Examination to answer their questions in vernacular and that the University and the Government encourage vernacular?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The University allows the students to answer in their own vernacular and Government are encouraging them."

Mr. BASHEER AHMED SAYEED:—"May I know whether it is not a fact that the Education Department has accepted the policy of vernacularization of high school courses and, if so, whether the hon. Minister does not think it necessary that in the Hobart Training and Secondary school there should be also vernacularization of studies?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I shall examine that question."

Alleged complaints against the text-books prescribed in the Government Hobart Secondary and Training School.

* 153 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(a) who the authority is that prescribes text-books for the various forms in the Government Hobart Secondary and Training School, Madras;

(b) whether there is any special committee constituted for prescribing text-books for the above school and for the other Government Muslim Girls' Schools in the Presidency;

[30th October 1933

(c) whether the Government or the Director of Public Instruction received any complaint against the difficult nature of the text-books in Urdu prescribed for the first three forms in the said school for 1932–33 and 1933–34 and, if so, what was the action taken on it; and

(d) what the Government propose to do to redress the grievance?

A.—(a) The Superintendent in consultation with the staff.

(b) No.

(c) No such complaint was received either by Government or by the Director of Public Instruction. A complaint regarding the Urdu text-books for forms I and II was brought to the notice of the Superintendent in March 1933 with the result that for the annual examination difficult questions bearing on the texts were replaced by questions on general composition.

(d) The books used in the Madrasa-i-Azam have now been introduced and are in use since July last.

Mr. Basheer Ahmed Sayeed :—"May I know whether the hon. Minister will consider the advisability of appointing a Committee for prescribing the text-books in these schools?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I do not think it is desirable to interfere with the discretion of heads of institutions."

Mr. Basheer Ahmed Sayeed :—"May I know whether it is not a fact that at the time when these text-books were prescribed in previous years, there were Superintendents who had no knowledge of Urdu?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I do not know."

Mr. Abdul Hameed Khan :—"May I know whether it is not a fact that the Superintendents of these schools have invariably been ladies who had no knowledge of Urdu and in view of that fact may I ask whether they were competent to give advice with regard to the selection of Urdu Books?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I am not prepared to admit the first statement that all these Superintendents were ignorant of Urdu."

Mr. V. T. Arasu :—"Will the hon. the Minister for Education be pleased to appoint a Committee of some of the Muslim Members of this House to select text-books for being studied in these schools?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I do not think that it is the intention of Muslim Members here that there should be any such Committee."

B. Pocker Sahib Bahadur :—"When any such Committee is appointed will the hon. Minister consider the advisability of including Mr. Arasu also in that Committee?" (Laughter).

30th October 1933]

Mr. BASHEER AHMED SAYEED :—" May I ask the hon. Minister whether he will be pleased to enquire whether the text-books, not merely Urdu but also English, prescribed in this school, are far higher in their standard than the pupils are able to understand and follow? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I shall enquire."

Selection of Urdu text-books in the Government Hobart Training and Secondary School.

* 154 Q.—Mr. BASHEER AHMED SAYEED : Will the hon. the Minister for Education and Excise be pleased to state—

(a) with whose advice and consultation the Urdu text-books prescribed for the various forms in the Government Hobart Training and Secondary School were selected ; and

(b) whether it is true that the Urdu teacher is not qualified to teach and is in fact incompetent to teach the Urdu text-books prescribed in the school for the various forms?

A.—(a) In July 1932 the books were selected by the Superintendent in consultation with the staff.

(b) No.

UNSTARRED QUESTIONS

Control of Vehicles

Qualifications, pay and appointment of bus inspectors.

155 Q.—Mr. M. B. RANGASWAMI REDDI : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that a bus inspector is appointed for each district ;

(b) what the qualifications prescribed are ;

(c) what the scale of pay is ;

(d) who it is that is supervising their work ; and

(e) who appoints them?

A.—(a) Yes. Bus Inspectors are at present working in all districts except in Anantapur, Kurnool, Cuddapah and Guntur districts and in Madras City.

(b) No specific qualifications have been prescribed but men with a sound knowledge of motor engineering with practical experience in a motor workshop are preferred.

(c) The existing rates of pay vary from Rs. 200 to Rs. 350 a month in different districts according to the amount of work.

(d) & (e) At the moment the District Magistrate is both the appointing and supervising authority.

Government Houses

Object of the visit of His Excellency the Governor of Bengal to Ootacamund this year.

156 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Home Member be pleased to state—

(*a*) whether the object of the visit of the Governor of Bengal to Ootacamund this year related to any matters connected with this Presidency; and

(*b*) which Government will bear the travelling expenses of the visit?

A.—(*a*) No.

(*b*) The Bengal Government.

Law and Order (General)

House searches by the police on the 17th March 1933 in the North Arcot district.

157 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Home Member be pleased to state—

(*a*) how many houses of Congressmen were searched on the 17th March 1933 in North Arcot district;

(*b*) what the reason was for the search;

(*c*) what were found during the search;

(*d*) whether it is a fact that the house of Janab Ubayathulla was searched at Vellore;

(*e*) the steps, if any, taken during the search to enable the ladies to maintain gosha; and

(*f*) what were the things that were found?

A.—(*a*) Two.

(*b*) The houses were searched for fire arms.

(*d*) Yes.

(*e*) The Gosha ladies were asked to move away before the commencement of the search, which they did.

(*c*) & (*f*) Nothing.

Prisons and Prisoners

Alleged irregularity on the part of Mr. Ince, Superintendent, Bellary jail.

158 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(*a*) how many Superintendents were posted to Bellary jail from January 1932 up to date;

(*b*) what the reason is for frequent transfers;

(*c*) how many lathi charges have occurred in that jail till now;

(*d*) whether there were two lathi charges during the tenure of office of Mr. Ince;

(e) how many were injured as a result of such lathi charges;

(f) whether he was transferred as a result of the lathi charges;

(g) whether there were any Lahore Conspiracy prisoners confined in this jail;

(h) whether they were beaten as a result of quarrels between them and the jail officials;

(i) whether the Lahore Conspiracy prisoners were severely kicked by the Superintendent during this scuffle;

(j) whether the Superintendent was at any time a medical officer in the Alipore jail;

(k) why he was promoted as Superintendent; and

(l) what action the Government have taken against the Superintendent?

A.—(a) The following is the list of Superintendents who were posted to the Central Jail, Bellary, from January 1932 to July 1933:—

(1) Mr. W. O. Fonceca.
(2) Major C. S. V. Ramanan, I.M.S.
(3) Dr. H. T. Ince, I.M.D.
(4) Lieutenant C. P. V. Shunker, I.M.D.
(5) Dr. H. T. Ince, I.M.D.
(6) Capt. G. S. Gill, I.M.S.
(7) Mr. R. Howe.

(b) Administrative convenience and exigencies of public service.

(c) One.

(d) No.

(e) The attention of the hon. Member is invited to the answer to question No. 391 given at the meeting of the Legislative Council on 7th November 1932.

(f) No.

(g) Yes.

(h) The attention of the hon. Member is invited to the answer to questions Nos. 391 and 392 given at the meeting of the Legislative Council on 7th November 1932.

(i) No.

(j) Yes, he was in the Alipuram Jail, Bellary, and not in the Alipore Jail.

(k) He was medical officer of the Alipuram Jail and Superintendent of the Wellesley Sanatorium Jail, Bellary. He was placed in additional charge of the Central Jail, Bellary, when the Superintendent went on leave.

(l) None.

Irrigation

Inundation of villages by the waters of the Chilka lake.

159 Q.—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) the department which is in charge of the canal taking off from the Chilka lake and running through the Palur Estate;

(b) whether the canal is in disrepair; and

(c) whether it is a fact that the disrepair of the canal and of the protective embankment in the Palur Estate supposed to be maintained by the owner of the Palur Estate contributed to the inundation of villages and lands in the Palur Estate by the waters of the Chilka lake?

A.—(a) The Salt Department of the Central Government.

(b) The canal was abandoned in 1918 by the Public Works Department which has ceased to maintain it since. The Salt Department took it over from 1st April 1919 on the distinct understanding that it would not spend any large amount on maintenance, that it would use the canal for the purposes of that department in the first instance, and that it would endeavour to make it available for public traffic so far as its then condition would permit. The Government are not aware of the present state of the canal.

(c) The Government have not the information.

Local Self-Government

Orders of Government, if any, on the report of the Special officer appointed to enquire into the financial position of local boards and municipalities.

160 *Q.*—Mr. M. B. Rangaswami Reddi: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have considered the points raised in his report by the Special officer appointed for enquiring into the financial position of local boards and municipal councils;

(b) whether they have issued any orders on the subject;

(c) if not, when they expect to issue such orders; and

(d) whether they will be pleased to lay on the table of this House any decided opinions arrived at on the report?

A.—(a) & (b) The report is under the consideration of the Government.

(c) It is not possible to say definitely when orders will be issued.

(d) The suggestion will be considered.

Agriculture

Import of Saigon rice into the Presidency.

161 *Q.*—Mr. M. B. Rangaswami Reddi: Will the hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that Saigon rice is imported into the Madras Presidency under contract;

(b) if so, what the period of the contract is; and

(c) what the total quantity of rice imported during each of the last three years has been?

30th October 1933]

A.—(a) & (b) It is a fact that Saigon rice is imported into this Presidency. But no information is available as to the period or nature of the contract, if any.

		TONS.
(c)	1930–31	3,482
	1931–32	14,905
	1932–33	20,610

Education

Proposal for the amalgamation of the Chittoor and North Arcot districts, under one District Educational Officer.

162 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether there is any proposal to amalgamate the Chittoor and North Arcot districts, under one District Educational Officer; and

(b) whether there is any such proposal pending with the Government with regard to other districts?

A.—(a) No.

(b) No further amalgamations are proposed beyond those already decided upon.

Measures for improving the percentage of literacy.

163 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state what steps the Government propose to take to bring the level of the literate persons in this Presidency up to that prevailing in Punjab, Assam, United Provinces and Central Provinces?

A.—The percentage of literate persons in the Madras Presidency has always been higher than the percentage in any of the provinces mentioned.

Extent of Government help in rural areas for working the compulsory elementary education scheme.

164 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) in what villages and in what districts compulsory education is in force; and

(b) whether the Government are rendering any special assistance in this behalf to such villages?

A.—(a) The introduction of compulsory elementary education has been sanctioned in the following municipalities and rural areas:—

Municipalities.

Name of district.	Name of municipality.
Anantapur	Hindupur.
North Arcot	Vellore.
Bellary	Hospet.
Chingleput	Chingleput. Conjeeveram.
Coimbatore	Coimbatore. Erode. Tiruppur.
Cuddapah	Proddatur.
Ganjam	Parlakimedi.
East Godavari	Rajahmundry.
Kistna	Masulipatam.
West Godavari	Ellore.
Madura	Madura. Dindigul.
Madras	Madras Corporation.
Malabar	Tellicherry. Calicut. Cochin.
Nellore	Nellore.
Ramnad	Virudunagar.
Tanjore	Mayavaram. Kumbakonam. Negapatam.
Tinnevelly	Tinnevelly.
Vizagapatam	Vizagapatam.

District.	Taluk board.	Area of compulsion.
Tanjore	Tanjore	Tiruvadi union.
Malabar	Ponnani	Kalpakancheri Ponmundam and Rayarimangalam.
	Walluvanad ..	Mannarghat village panchayat.
	Ernad	Parappanangadi, Chaliyam (Kadalundy), Kondotty, Tirurangadi, Mampad, Edavanna, Pandikad, Nilambur, Kalikavu and Karuvarakundu amsams.
North Arcot ..	Tiruppattur ..	Natrampalli and Agraharam village panchayats.
Ramnad	Sivakasi	Sengamalanachiyarpuram and Vadamalaipuram village panchayats.
Chingleput ..	Saidapet	Revenue firkas of Saidapet and Aminjikarai and panchayat areas of Villivakkam and Tiruvottiyur.
Guntur	Bapatla	Panchayat areas of Bapatla, Ponnur and Nidubrole.

(b) The Government have sanctioned the payment to the undermentioned taluk boards of the recurring subsidies noted against them towards the introduction of compulsory elementary education:—

Name of taluk board.	Amount of subsidy per annum. RS.
Ernad	30,490
Walluvanad	935
Ponnani	13,548
Saidapet	21,243

No special subsidies have been granted in other cases.

30th October 1933]

Districts where Mr. Champion's report has been given effect to.

165 *Q.*—Mr. M. B. Rangaswami Reddi: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether Mr. Champion's report has been given effect to in any of the districts and, if so, where; and

(*b*) what the net cost incurred for the preparation of this report was?

A.—(*a*) Mr. Champion's report as a whole has not been given effect to in any district. A few local bodies have adopted some of the recommendations in the report.

(*b*) The officer who prepared the report was not employed solely for the purpose of preparing it and it is not, therefore, possible to estimate the cost of its preparation.

Non-payment of grants to village panchayat schools.

166 *Q.*—Mr. M. B. Rangaswami Reddi: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether the Government are aware that no grant has been sanctioned up to date to the village panchayat schools during this official year;

(*b*) whether it is a fact that no grant will be made for the employment of additional teachers in the panchayat schools during this year; and

(*c*) whether any amount has been set apart for the additional teachers during this year; if so, what the amount is of such special grant?

A.—(*a*) The payment of grants has so far been authorized to 802 schools and some applications for grants are under scrutiny in the office of the Inspector of Municipal Councils and Local Boards, while others have been returned to the Presidents of Panchayats concerned for rectification of defects or referred to the educational authorities for remarks.

(*b*) & (*c*) A sum of Rs. 8,200 has been provided in the current year's budget estimate for the employment of additional teachers in panchayat schools and the Inspector has been asked to take steps to employ the teachers.

Muslim L.T. Graduates employed in Government Institutions.

167 *Q.*—S. M. K. Beyabani Sahib Bahadur: Will the hon. the Minister for Education and Excise be pleased to state the number of Muslim L.T. Graduates from 1930 employed in Government institutions?

A.—None, as none are reported to have been available. Three untrained Muslim graduates were however entertained after the 1st January 1930 and were sent for L.T. training.

[30th October 1933

Admission of students into the Presidency College.

168 *Q.*—Rao Sahib P. SUBRAHMANYAM CHETTI: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) how many students were admitted this year into the Presidency College in the junior intermediate, B.A. (Pass course), B.A. (Hons.), B.Sc. (Pass course), B.Sc. (Hons.) and Post Graduate courses;

(*b*) what percentage of the above students were Brahmans, non-Brahmans, Muslims, Indian Christians, Depressed classes and others; and

(*c*) the district or districts to which the selected students belong?

A.—(*a*), (*b*) & (*c*) Two statements,[a] one containing the particulars required in clauses (*a*) and (*b*) and the other those required in clause (*c*) are placed on the table.

V.—ACTS ASSENTED BY HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT:—" I have to announce that the undermentioned Acts received the assent of His Excellency the Governor on the dates mentioned against each:—

The Madras District Municipalities and Local Boards (Amendment) Act.	5th September 1933.
The Madras Local Boards (Fourth Amendment) Act	5th September 1933.
The Madras Wild Elephants' Preservation (Amendment) Act	6th September 1933."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

VI.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, FOR CERTAIN PURPOSES (BILL No. 12 OF 1931).

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, I beg to move—

'*that the Bill further to amend the Madras Estates Land Act,* 1908, *for certain purposes* (*Bill No.* 12 *of* 1931), *as amended by the Select Committee be taken into consideration.*'

" I introduced this Bill in this Council on the 26th January 1932 and on that date it was referred to a Select Committee. I presented the Select Committee's report on the 30th January 1933 but I did not then proceed to move the motion which I am now making because I understood that there was a general desire to postpone the discussion of this measure. But I then made an appeal to the leaders of both the landholders and the tenants to come together in order that they might arrive at some agreed measure: at least that was the intention underlying my appeal. During the nine months that have elapsed between then and now I am prepared to say that there has been a

[a] Printed as Appendix IX on pages 126–127 infra.

30th October 1933] [Sir Archibald Campbell]

genuine attempt on the part of leaders of certain parties to meet together and to come, if possible, to some agreement. Unfortunately I understand that the expected agreement could not be reached on all points. Neither has any formal agreement been presented to Government on behalf of both parties on any point. But we have had presented to us by my hon. Friend, the Raja of Bobbili, draft amendments to my Bill purporting to carry out, as he interpreted them, the intention of the leaders of both the parties who have met together for the purpose of coming to some agreement. It seems to me that the time has now come that we should proceed with the discussion of the Bill which I introduced last year. I may have to repeat to some extent what I have said on previous occasions, but I feel that I must draw once more the attention of all hon. Members to the very long period of time during which this measure has really been under consideration. The original Bill, as amended by the Select Committee, was published in the year 1913, that is to say, twenty years ago. It was introduced by the hon. Sir John Atkinson on the 27th January 1913. On the same date, four private Bills were introduced and the hon. Mr. V. S. Srinivasa Sastriyar made a motion that the consideration of the Government Bill should be postponed. He said:—

'I think for these reasons it would be necessary to postpone the consideration of this Bill in order that Government might take time to bring in a fresh Bill, larger and more comprehensive in its nature, taking such points in these four Bills as they think desirable to include therein.'

"That motion was seconded by the hon. Mr. A. S. Krishna Rao and was accepted by the Government. The hon. the President said:—

'I may state that Government have no objection to the course proposed and this discussion may now therefore be adjourned . . .'

"Certain officers were placed on special duty for the consideration of the draft of the various Bills which were before the Government. The progress of the Bill was interrupted by the War, but in 1921, the Bill was completely re-drafted and in 1922 it was referred to a small Committee presided over by the hon. Mr. K. Srinivasa Ayyangar and including representatives of the various interests including landlords and tenants. Their recommendations were considered by the Government and the Bill was revised and a new Bill was drawn up which is usually known as Sir K. Srinivasa Ayyangar's Bill. That Bill was again referred in 1924 to a Committee consisting of officials and non-officials. The hon. the Law Member, Sir C. P. Ramaswami Ayyar was the Chairman of that Committee; it went through the Bill section by section and finally appointed a sub-committee to draw a fresh Bill. The Bill drafted by the sub-committee is the basis of the Bill which I introduced in January last year. It was then referred to a Select Committee on which were persons qualified to represent both the landowners and the ryots and, having been present at the meetings of that Committee I can say that the points of view on both sides were very carefully, very fully and very impartially considered. Now, Sir, 12-15
this Bill that I have introduced was originally introduced in 1913 to p.m.

remove certain acknowledged defects in the existing Act. It does not confer any extra or special rights on landowners as some people seem to imply; on the contrary, I think it will place the tenants in many respects in a better position than they are in now. I feel, Sir, that the provisions of the Bill have been sufficiently considered and sufficiently long before the public for their implications to be thoroughly appreciated by all those who will be affected by them. I feel, Sir, that even if the representatives of one party or the other consider that my Bill goes too far or that it does not go far enough in certain directions, that is no reason for not carrying out amendments which are admittedly desirable. It will not redound to the credit of the Government or of any parties in this House if we do not carry out a measure of reform to the extent to which it is generally admitted to be desirable and even necessary. It will be no advantage to a party if it holds back certain benefits from landowners or from tenants, merely because it thinks that they ought to have further benefits. That surely is not conferring any real benefit on the community which it represents.

"We have had notice of a large number of amendments to this Bill and they will enable a full discussion to be had of the various provisions; and their implications and their effect upon the landowner and the tenant will be carefully threshed out in this House.

"I therefore beg to make the motion which I have moved at the beginning of my speech."

The hon. Sir M. Krishnan Nayar:—"I second the motion."

* The hon. the President:—"The motion before the House is—

'*that the Bill further to amend the Madras Estates Land Act,* 1908, *for certain purposes* (*Bill No.* 12 *of* 1931), *as amended by the Select Committee, be taken into consideration*'."

* Mr. V. T. Arasu:—"Mr. President, Sir, I rise to move the amendment standing in my name, namely—

'add *at the end of the hon. the Revenue Member's motion the words "this day six months"*.'

"My object in moving this amendment is not simply dilatory as perhaps some hon. Members of this House would believe or would have been made to believe by some interested parties. I personally feel that this problem, the problem of the ryots and the zamindars, which is a grave one in this Presidency, should somehow be settled as early as possible, and as satisfactorily as possible to both the parties concerned. I am not one of those who believe, Sir, that the zamindars as a class should be extinguished altogether. But, I firmly and sincerely believe that the zamindari ryot should be placed on the same footing as the tenant in the ryotwari area under the Government. That is the minimum that is required for the zamindari ryot. To achieve that aim we are anxious that a consolidated measure should be brought by the Government, a measure which would successfully solve the problem of the zamindar versus the ryot, but not a Bill like the one before us which makes amendments here and there and does not touch even the fringe of the problem.

30th October 1933] [Mr. V. T. Arasu]

"Sir, before I proceed further, I must correct one or two statements made by the hon. Member who moved the motion for the consideration of the Bill. The hon. Gentleman said that he refrained from making this motion in January last on the understanding that the Members representing the various interests would come together and come to some understanding which would enable him to bring forward the motion within a short time. Sir, if I may be permitted to correct that statement, I was one of those present at the informal conference held in the hon. Member's room. The understanding that was then arrived at was that the Government should drop the measure altogether during the lifetime of this Council and that it should be left to the new Council inaugurated under the reforms, whenever it may come, to solve this problem. That was the understanding, if I remember aright, and I am sure several hon. Members who were present at that informal conference would bear me out in this respect. But we are surprised that, contrary to that understanding, the Government should have come forward with the Bill at such a late hour as this. It was only seven days back that we received notice of the fact that the Government are going to move that this Bill as amended by the Select Committee be taken into consideration. I was surprised when I received the notice that the Government should have thought it right to treat the Members of this House with such scant courtesy; for they have given only seven days' notice for a Bill containing about 126 clauses, a measure whose effects are bound to be far-reaching. Moreover, there are over 500 amendments, if I am right, given notice of by non-official Members of this House. It is a pity that the Government should have given us only seven days' time to consider these amendments. Therefore, I submit there has hardly been any time for non-official Members of this House to study the Bill and the amendments proposed by several Members and understand their implications.

"The hon. the Revenue Member in his statement said that 'the time had now come to proceed with the measure.' I ask: what are the new circumstances that have come in since his attempt in January last and now? What are the new circumstances that have come in to warrant the Government bringing forward a motion that the Bill as amended by the Select Committee be taken into consideration? Sir, the hon. Member spoke at length how several Committees sat on this measure, and how they suggested suitable amendments to the Bill. I may submit in this connexion that although several Committees were appointed by the Government and each one of those Committees sat for several days, and as a result suggested amendments to the Bill, no Committee appointed by the Government undertook anything like an exhaustive enquiry into this problem, the problem of the equitable adjustment of the relationship between the zamindar and the tenant. No enquiry of that kind has ever been undertaken and when that is a fact, I fail to understand how that Committee can claim for itself, nay, arrogate to itself the right to suggest amendments in the interests of the ryot or of the zamindar. Perhaps a few prominent gentle-

men whom Government thought were representatives of the various interests may have been invited by the Government to sit on that committee. But I ask: Have the Government at any time directly approached the problem by going to the zamindari areas and asking the ryots and the zamindars to place before the Government their difficulties in the matter? I think I can state without any fear of contradiction that this problem has never been attended to be tackled in this manner which I submit is the only proper one to do in the circumstances.

"It is stated in the Statement of Objects and Reasons appended to the Bill that this is merely an amending measure and that this is intended merely to effect some verbal amendments and to bring it in consonance with recent decisions; and this statement was reiterated with greater force by the hon. the Revenue Member just a while ago. I submit, Sir, and I shall presently point out to this House, that it is not so. The amendments proposed by the Government, the amendments carried by the Select Committee and the amendments given notice of by non-official Members opposite are of a far-reaching character. Therefore, it cannot be said that the Bill proposes only a few verbal amendments and that they can be disposed of by this House without any deliberation. A dispassionate and careful examination of the provisions of this Bill as amended by the Select Committee can only lead us to one conclusion, namely, that if the Bill as modified by the Select Committee is passed into law, the position of the zamindari ryot will become worse than it is now under Act I of 1908. The hon. Member said that they were not going to improve the position either of the zamindar or the tenant and that their respective positions would be just the same as they have been from 1908 onwards. I think it is my duty to show that it is not so.

"Sir, some new and valuable privileges are now secured under the Bill to the landholders to the serious detriment of the interests of the ryots, while little or nothing is done to improve the lot of the ryots. This is no empty statement. Sir, I can substantiate this statement by an examination of some of the provisions of this Bill. I would like, in the first instance, to take clause 2 of the Bill—section 3 of the Act—which relates to inams. Since the permanent settlement of 1802, zamindars and landholders of other description made numerous grants of land to their dependents and other favoured classes of persons either rent-free or at a favourable rent. These are known as darimila or service inams. In the original Act, the definition of a landholder included the grantee of such inams so as to prevent the alienated portion of the estate from being removed from the operation of the Act and to confer on the owner of the portion of the estate thus alienated the status of a landholder, and thus secure to the ryots in such inam lands the benefits of the Act. Persons admitted to the occupancy of such inam lands by the inamdar consequently acquire occupancy rights by virtue of section 6 of the Act. I am referring to Act I of 1808. The post-settlement inamdars made tremendous efforts to wriggle out of this

30th October 1933] [Mr. V. T. Arasu]

provision and the Madras High Court and the Privy Council also in some cases by their numerous decisions laid down that the ryots in occupation of such post-settlement inams had occupancy rights. But the amendment that has been effected by the Select Committee proposes to nullify the effect of the rulings given by the Madras High Court and the Privy Council in several cases which came up before them. The Bill definitely abrogates the provision of the original Act in this matter and lays down that the grantee of an unoccupied or non-occupancy post-settlement inam land is not a landlord and that none of the provisions of the Act should apply as between such grantee and any person holding lands under him. This provision has two far-reaching effects, one in regard to the future occupants and the other in regard to the present occupants. This provision also creates facilities to landholders to put up benamidars as grantees and to make the ryoti land in their estates virtually their private land. Sir, I submit that, by this amendment, an amendment which has been carried out by the Select Committee, the position of the inamdars and the ryots is changed materially and therefore it is not merely a verbal amendment as the hon. the Revenue Member would have us believe.

"Sir, I will give another instance, the instance of lanka lands. Sir, in some of the rivers in this Presidency, particularly in the Godavari and the Kistna, there are islands with a considerable extent of cultivable land and very valuable crops are raised on them. On account of the annual alluvial deposits during the flood season, the soil of some of these lanka lands is very rich and fertile and the kist paid on these 12-30 p.m. lanka lands is consequently high comparatively . . ."

* The hon. the PRESIDENT:—"I am afraid the hon. Member is dealing with the details of the Bill. I think he will do well to confine his remarks to the motion which he has moved. He may reserve his remarks regarding the details of the Bill to a later stage. I would like the hon. Member to argue only in favour of the motion that he is moving."

* Mr. V. T. ARASU:—"I bow to your ruling, Sir. I am quoting these instances in support of my statement that the hon. the Revenue Member is not correct in maintaining that the amendments effected by the Select Committee are merely verbal and are not of a far-reaching character. I am quoting several instances where the Select Committee have effected amendments which are of a far-reaching character.

"I was saying that the lanka lands are treated, in the original Act as it stands, like other cultivable lands in the State. But under the amendment carried by the Select Committee, the lanka lands are going to be divided into three classes and this is a new innovation which has been introduced by the Select Committee. The Bill puts the lanka lands on a special unfavourable footing from the ryots' standpoint,

by creating new rights to landholders thereon. Under the present Bill, the ryot will no longer be able to acquire occupancy rights. He can acquire it only by grant or by continuous occupation for twelve years.

"From the two instances that I have quoted, namely, the instance of clause 2 wherein the position of the inamdar has been changed and the instance of lanka lands, it must be evident to anyone who examines the provisions of the Bill, that very valuable rights acquired by ryots in regard to occupation of lands in zamindaris have been materially changed and the zamindars and landholders are placed in a position of advantage compared with the ryots. I may also refer to some minor clauses in the Bill wherein amendments have been introduced which are distinctly prejudicial to the interests of the ryots. Take, for instance, section 17-A which says 'Every landholder by himself or his duly authorized agent may at all reasonable times enter upon any land in his estate for any of the purposes of this Act and may also measure any land for any such purpose.' I think the hon. the Revenue Member would agree with me that this is a most objectionable provision, at any rate from the point of view of the ryot. The landholders have very little to do with such lands. It is a well-known fact the farm-houses of some ryots are part of holdings. Why should the landholder and his authorized agent have access to such lands at all reasonable times and for all the purposes of this Act?"

* The hon. the PRESIDENT:—"May I once again draw the attention of the hon. Member? The hon. Member may give his reasons why he wants that the consideration of this Bill should be postponed and how the postponement will be useful in remedying the defects. If the hon. Member wants to go into the details of the sections and of the amendments which he wants to be incorporated, it will be completely out of order."

* Mr. V. T. ARASU:—"I bow to your ruling, Sir. I was saying that far-reaching amendments have been introduced by the Select Committee and this House legitimately expects the Government to give sufficient time to hon. Members of this House to consider the Bill as it came from the Select Committee in all its aspects. For that purpose, time is necessary and without time, it would not be possible for this House to proceed with the measure. As hon. Members are fully aware, notices of about 500 amendments have been received and they have been placed before hon. Members of this House just this morning. It is hardly possible for this Council—constituted as it is—to go through such an intricate measure as this with 126 clauses and 500 amendments thereon. When such important measures come up before legislative bodies, it is the practice all over the world that some sort of understanding is come to by Party Leaders and by people representing various interests, by which only important amendments are moved on the floor of the House—say, about half a dozen or a dozen. This is what is being done in all countries where Parliamentary institutions exist. That practice is a wholesome one, and one which this

House would do well to follow; because, no legislative body is comperent enough or has got the requisite time to go into a measure of this kind clause by clause and to consider all the amendments that may be placed before it. That is absolutely impossible. It is therefore that I submit to the hon. the Revenue Member that the consideration of this Bill may be postponed by about six months. It may be possible for Members of the Government to convene an informal meeting of some Members of this House and dispose of several amendments. In that case, all the amendments given notice of now may not come up before the Council and the valuable time of the Council would not be wasted. What would happen otherwise? I for one dread to think what is going to happen if the Government should insist on proceeding with this measure, if these 500 amendments are going to be discussed threadbare and disposed of. I submit that the Government would not be able to do so even if this Council should sit day to day for six months. With all the earnestness at my command I request the Government to postpone the consideration of this measure by about six months. In the meanwhile, convene an informal conference to discuss these amendments and dispose them of. When a common understanding is arrived at, I am sure hon. Members would waive their right of giving notice of amendments and moving them in the open Council. In that case it would be easy for the Government, and it would be easy for the hon. Members of this House, to pass the Bill by sitting for a day or two. On the other hand if we are to consider the Bill now clause by clause, it would not be possible for a House consisting of one hundred and odd Members to consider carefully such an intricate measure as this. I would once again appeal to the hon. the Revenue Member to accept this amendment of mine and in the meanwhile to explore all possible means to come to some sort of common understanding with regard to this measure."

* Mr. YAKUB HASAN:—"Mr. President, Sir, in January last when the hon. Sir Archibald Campbell said that he was not going to move the motion that stood on the agenda in his name, it was expected that it was recognized by the Government that that Bill had not met the situation and that it was necessary that some other Bill should be introduced which will be more comprehensive and which will settle the question once and for all. Sir, after that, when Mr. Venkatachalam Chetti asked for leave to introduce his Bill, it was suspected that that Bill was opposed to the interests of the zamindars and that it stood more for the rights of the ryots. Instead of allowing that Bill to be introduced it was suggested that it would be more proper if a third Bill could be brought before this Council which would incorporate the provisions of the Government Bill and those of Mr. Venkatachalam Chetti's Bill and that serious omissions in these two Bills also might be filled up. Conference was the only method by which a compromise could be arrived at and such a comprehensive Bill could be formulated. The attempt made by the hon. the Chief Minister failed in that respect as is evident from the several statements that have

appeared in the Press. At the last moment this Bill has been suddenly flung upon this Council and now Sir Archibald Campbell tells us, 'whatever amendments you want to bring can be brought and you can improve the Bill by means of amendments.' If all the 300 or 500 amendments are taken into consideration and some of them are passed, the result will be that the Bill will be radically different from the Bill that is before us now. This is not the proper method of legislating, that a Bill should be brought forward and hon. Members should be asked to improve it out of all recognition by means of 500 amendments. This is not the way in which legislation should be proceeded with. It is quite apparent that the Government wants a certain Bill to be passed. There is no other measure before the Council. The Government seems to consider it necessary that this Bill should be passed without delay. By a sort of a conspiracy with the zamindar Members and with the support of the nominated Members, it is thought that they will be able to carry their points and that the Opposition will be defeated. None of the amendments that have been brought forward by the Opposition Party will have any chance of getting through.

12-45 p.m. "Sir, this is not the way of dealing with such an important legislation. It has been pointed out that ever since this Act was passed in the year 1908, it was found that it was defective in many ways. In the very next year, 1909, certain amendments were made to it. After that in 1913, the Government brought in an amending Bill again. And during the next twenty years, committees after committees have sat and they were not able to produce a Bill that was satisfactory to all concerned. Compared with the long period that has elapsed since 1908, I ask, is this six months such a long period that you cannot agree to the postponement? If postponement for six months is agreed to, another attempt might be made in order that a more comprehensive Bill might be placed before the Council which we can deal with in a more satisfactory manner than we can do with this Bill with 500 odd amendments.

"So, I second this proposition which is now before the House, and I appeal to the House to accept it."

* The hon. the PRESIDENT :—" The amendment is to *add* at the end of the hon. the Revenue Member's motion the words 'this day six months'."

* Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, Sir, I rise to move—

> '*that the consideration of the Report of the Select Committee on the Madras Estates Land Act (Amendment) Bill be deferred until such time as my Bill (the motion for leave to introduce which was adjourned for consideration to this meeting) reaches the same stage as Sir Archibald Campbell's Bill.*'

30th October 1933] [Mr. Sami Venkatachalam Chetti]

"Sir, I take it that I have got to speak now not only upon my amendment, but also on the main proposition made by my hon. Friend, Sir Archibald Campbell, viz., that the consideration of the Bill be taken up.

"Sir, I approach this rather important subject with great reverence and humility. The complexity of the many problems involved in this measure and the great importance attached to the solution of many of those questions by the ryots who have got the misfortune at present to live under the regime of the zamindars, make my ignorance of and inexperience in these matters a double wrong to myself. I derive no consolation in the fact that most of the hon. Members either on this side or on that side are in the same predicament, if not worse; but I dare say that the literature that is available in connexion with this important measure, illuminated by notes and minutes of experienced administrators from Mr. G. S. Forbes downwards right up to the gentleman at present in charge of this subject, i.e., my hon. Friend, the hon. the Revenue Member, would be more than enough to dispel any ordinary amount of ignorance that might prevail in regard to this measure. I consider, Sir, that in spite of the fact that there is not much in common in many matters between the Government and the governed to-day, there are some matters in which all parties of this House and the Government could see eye to eye. And I consider that the relationship between zamindars and their ryots is the topmost in that list. As a matter of fact, my hon. Friend, Sir Archibald Campbell, was more than anxious to see that the grievances of the ryots and of the zamindars were settled by mutual conference and that they should themselves put forth an agreed measure for the acceptance of the Government. I hope, Sir, that the same attitude and the same wish to be neutral, to be disinterested and to see that the mutual relationship between the landlord and tenant is one of amity, still continues in the mind of the hon. the Revenue Member.

"It is not my intention, Sir, to deprive the hon. the Revenue Member of the well-merited appreciation of the people for piloting a measure of this importance. As a matter of fact, Sir, I may say that his desire to do good to the ryots of the zamin areas appears to be unsurpassed. It is not my intention, therefore, to obstruct the measure, if that in my opinion and in the opinion of those ryots who are living in the zamin areas, is calculated to improve their present conditions even to the slightest extent. My hon. Friend, the Revenue Member, referred in his speech to the long period of gestation of this Bill. It appears to me that it is a longer gestation than that of an elephant. It must therefore be conceded that it could not have been without strong and sufficient reasons that this measure was from time to time postponed consideration in this House. Well, Sir, is it mere obstruction, is it mere mischief, is it a mere desire or a bid for popularity that made successive Houses, or compelled them, to have this measure adjourned? My hon. Friend, the Revenue Member, again quoted extracts from the speech of the Right Hon. V. S. S. Sastri. What we gather from that speech is only that

several hon. Members comprising that House expressed or put forth certain very important points which were not included in the Bill which was then considered, and therefore they requested the Government to withdraw that measure, so that they might bring forward another Bill containing all the points which had been raised by the hon. Members of that House. The Governor, who was then the hon. the President, very rightly accepted that view and promised to bring forward another Bill. The result is the present Bill after undergoing various stages!! It is not however left to this House to know whether the points which were raised by the hon. Members of that House have been included in successive Bills, and if in spite of their inclusion, the House rejected those Bills. Evidently, those points could not have been included; otherwise, there could have been no reason why the House did not consider those Bills.

"Sir, the hon. the Revenue Member in his speech on the 26th January 1932 stated:

'This Bill is intended as an amending Bill to set right certain difficulties which have been found in the working of the Estates Land Act of 1908. Certain amendments were made in 1909, and further experience has shown that the amendments did not go far enough and that there are other difficulties which should be rectified. Various representations were received in addition to the report received from the Board of Revenue on the subject. The Government drafted an amending Bill in 1913, and that Bill elicited four private Bills and numerous other proposals. While Government were considering these various Bills, this important measure was postponed until after the close of the War.'

"I shall now take you to the latter portion of his speech:

'The Bill only aims at removing certain difficulties which have been found in the working of the existing Act. It does not aim at conferring any new rights or other powers upon either the zamindars or the ryots. It does not aim at placing any disability on either party; but the aim is rather to facilitate the carrying out of the various principles on which the Act of 1908 is based.'

"If I may take the House to the principles upon which the Act of 1908 was based, I cannot do better than reproduce here the most telling words of the hon. Mr. G. S. Forges in defining the legal status of the zamindar and the ryot:

'The legal status of the zamindar under the permanent settlement cannot be put higher than that of an assignee of the public land revenue. I say the legal status because it is the only matter which concerns us in the present discussion. Attempts have been made to draw a distinction between zamindars who in 1802 were of comparatively recent origin and zamindars who were representatives of ancient families, who it is claimed had at one time larger interests in the country than mere farmers of the land revenue. Especially are these claims urged in respect of some of the great zamindars in the Northern Circars. But whatever these ancient rights may have been, they had been absolutely destroyed as matters of legal right by the Mogul and Muhammadan Governments. I have made a careful examination of the history of the 18th century, and I dare to say that there is not a single instance in which the ancestors of the present zamindars were not treated and regarded by the Muhammadan Government and its Viceroys at Hyderabad as farmers of the revenues. No doubt the Muhammadan rulers found it expedient and advantageous to employ members of the ancient Hindu families who had established themselves in the country to undertake the duties of collection and act as their receivers generally, but they never accorded to them any legal rights beyond, and the whole history of the times is a history of perpetual change among the zamindars, old zamindars removed and new zamindars appointed, and again old zamindars restored; and in the distractions of the times the

30th October 1933] [Mr. Sami Venkatachalam Chetti]

strongest and most acceptable survived. Such changes were strictly in accordance with the constitutional rights of the Sovereign Power. In the same way the engagements between these zamindars and the State were subject to revision at every renewal of the lease. I do not mention these facts with the view of derogating in any way from the dignity which justly attaches to the present representatives of these ancient families. Their ancient lineage if they discharge their duties and responsibilities faithfully will always assure them of a full measure of the respect and consideration of the Government and among the people the social dignity which is their due.'

"Having laid down this *magna charta* for the ryots living in the zamin area, he proceeded to fix up the rent and other rights in respect of the tenure which the ryots were holding. Apart from conferring occupancy rights, the question of rent was the other important thing which engaged the attention of the hon. Mr. Forbes. Sir, he has made provision that the ryot has got only to pay a 'fair and equitable rent.' Probably he meant in that phrase that the rent would be such as would not be considered a tyrannical exaction. Naturally, the framer of a law ought to leave these matters for the courts to decide and also to take into consideration the opinion of the times. Sir, he was moving that Bill in a Legislative Council which was a thoroughly unrepresentative body so far as the ryots were concerned. It was a Council of pre-Minto-Morley Reforms, where the interests of zamindars, of the antiquated zamindars, the big landholders and the capitalists dominated more than anything else. It was in such a Council that the hon. Mr. Forbes had to pilot that Bill. Naturally, he should have hesitated a hundred times before he could give full effect to what he meant by 'fair and equitable rent.' Even to this modest demand, there was such an opposition both in the Select Committee and in the Council in respect of the right of occupancy, in respect of the inclusion of lanka in the ryoti lands and various other things, that Mr. Forbes merely left the phrase 'fair and equitable rent' without a proper definition. But the courts which had subsequently to decide what a 'fair and equitable rent' was, were naturally guided by the rent then prevailing in the country. The very fact that the hon. Mr. Forbes was considering the introduction of an Estates Land Bill gave ample opportunity to the zamindars to increase the rents from time to time.

"The immediate benefit of the Madras Estates Land Act even before it became an Act was that the ryots had to submit to the increases, the tyrannical increases, the extortionate increases in the rents within the short period of three or four years. Therefore when the measure became an Act, the rents that were increased by the cleverness and the intelligence of the zamindars foreshadowing a measure of this sort, came to be regarded as fair and equitable. That they are never fair and equitable can be attested by no less a body than the Board of Revenue whose opinion I shall read to the House. It is not Professor Ranga that is saying it; it is not Sami Venkatachalam Chetti that is saying it, but it is the Board of Revenue. At page 204 of the Land Revenue Administration, the Board says: 1 p.m.

'In zamindari areas the rentals are often extremely high as compared with the neighbouring Government assessments owing to the fact that having been permanently settled in 1802 they either retain the paimash rates similar to those

of the Government areas at the period including the now obsolete garden tax, or where untrammelled by such rates, they are able to make their own bargains with their tenants, or they have commuted the amounts due under the sharing system into money at their own rates. In a zamindari now under the Court of Wards the Board has found that the highest wet rates are Rs. 45 per acre for which, however, the ryot may raise two crops if he can; the garden rates run up to Rs. 15 per acre. These are maximum rates but are actually being paid. The rate payable for betel-leaf garden is fixed at Rs. 32 per acre. The maximum wet rates for Government lands in the three neighbouring districts are Rs. 10, Rs. 8 and Rs. 7–8–0 respectively, with the addition of one-half extra when a second crop has been raised. The moderation of Government assessments may be gauged from the figures. In considerable areas in the Godavari delta good zamindari lands are rented to tenants for growing paddy at Rs. 25 to Rs. 30 plus the Government water-rate and at much higher rates for sugarcane. The Board is not defending these rentals, but they are payable and are being paid.'

"Therefore it is evident that the hon. the Revenue Member in bringing forward this measure is not tackling this very important question. Admittedly he is not. But if we examine whether even in the rectification of minor defects there has been anything done or there has been any intention on the part of the hon. the Revenue Member to place the position of the ryot on a better basis. I beg of you, Sir, to examine the notes on clauses in the Bill as it was introduced.

"Clause 2 (section 3) is inconsequential because it seeks to define the word 'Collector' in accordance with the present conditions. The note on sub-clause (3) says that 'trees are now excluded from *Holding* and the effect is that, though tree tax was in some cases included in the assets on which the peishkash was calculated, the landholders are denied the advantages of the summary process provided by the Act for recovering this income.' Therefore, Sir, the hon. the Revenue Member has come in with his Bill to tighten all the more the grip on the ryot and give power into the hands of the zamindar for recovering this income by summary process. So, Sir, that was the intention so far as clause 2 is concerned. Then, it is said, 'the policy of the Act is to discourage separate pattas for trees as distinguished from the land and to recognize or create rights in favour of the ryot to all trees in his holding subject to certain limitations. But where trees are held on patta independently of the land, it is necessary to allow the landholder to recover the rent of trees in the same way as the rent of the land.' Therefore, what was intended as a coercive process in respect of land has also got to be applied even in respect of trees. I suppose, Sir, in the face of this explanation, the hon. the Revenue Member would not claim this section at least to be beneficial to the ryots for whom he seems to be pleading so hard. With regard to sub-clause (4) we find that 'a Full Bench of the High Court has decided that a minor darmila inamdar is a landholder within the meaning of the Act quite against the intention of the Legislature. The explanation is added to get rid of the effect of this decision.' So, they welcome the High Court decision making the minor darmila inamdar also a landholder, thus taking the trouble of excluding him from the operation of this Act and also considering that that was the intention of the Legislature. Sir, it is a question of doubtful utility or importance either to

30th October 1933] [Mr. Sami Venkatachalam Chetti]

the inamdar or to the ryot. At any rate, it is not a matter upon which the ryot should be congratulated on getting a favour from the hon. the Revenue Member.

"Under sub-clause (5) we find that the Bill makes special provision in the case of lanka—vide sub-clauses (6) and (9) (ii) of this clause and also new section 19-A inserted by clause 11. It is added that a definition of lanka is obviously necessary. That is also not very important.

"The note on sub-clause (6) says:

'It is considered expedient to include in the category of "old waste" lankas declared by the District Collector to be ryoti land under the provisions of new section 19-A inserted by clause 11. A tenant that might apply under that section is exposed to the risk of being at once evicted by the landholder. Once it is declared ryoti, admission of any person, even of one who contributed no share whatever in its formation, would confer on him a right of occupancy. By declaring the land as old waste, a mean is cut to the advantage of both the landholder and the occupancy tenant and might conduce to an amicable settlement of their relations.'

Therefore, Sir, when there was the slightest loophole by which a ryot can claim a lanka land to be a ryoti land and thereby demand occupancy right, the Government want now to make it so clear as to prevent the ryot from presuming impertinently in favour of occupancy. It is said that certain concessions be got by mutual arrangement between the zamindar and the ryot. I do not know whether this is a power given to the zamindar or the Government to extort more from the ryot.

"Sub-clause (7) is not very important.

"Sub-clause (8) contains this note:

'Rent paid for trees held apart from the land on which they stand has been included within the scope of the definition of *rent*.'

This is really tightening the grip on the ryot, as I already said, in regard to the right to include the tax on trees also as coming within rent so as to make it available by coercive process for collection.

"The note on sub-clause (9) says that 'tank-bunds and the beds and bunds of supply, drainage, surplus or irrigation channels stand on the same footing as tank beds. Hence all those beds and bunds have been included in clause (*a*), thereby removing them from the category of 'ryoti' lands. There was at least some chance of the dried up tank beds to be considered ryoti and occupancy right claimed in regard to them. But in order to make this possible and make it clear, the hon. the Revenue Member goes, according to him, to the support of the ryot and excludes it from the category of ryoti land and places it at the disposal of the zamindar to give it to the highest bidder.

"Sub-clause (9) (ii) says that it is considered desirable that legislation should respect custom in this matter, etc. I do not know if the hon. the Revenue Member intends it to be beneficial to the ryot.

"Under clause 3 (section 4) it is said:

'A person who without the permission of the landholder occupies ryoti land for twelve years acquires a right to it without any obligation to pay rent to the landholder while the liability of the latter to pay peishkush to the Government

would remain unaffected. It is considered desirable to provide that such a person should acquire only the rights of a ryot and should be liable to pay rent to the landholder. With regard to horticultural lands it is said that it is considered desirable that admission to horticultural or orchard land for raising a crop occasionally should not confer an occupancy right in such land any more than admission to forest land does in similar circumstances.'

I hope this is one more gain conferred on the ryot. Item (*d*) says:

'The landholder who has acquired lands under section 186 should be allowed temporarily to let the land for agricultural purposes before they are actually used for the purposes for which they were acquired and such letting should not confer any right of occupancy in the lands so let.'

" Therefore this is supposed to be intended for the benefit of the ryot, because it operates as a reduction in the title to the right of occupancy which was conferred by the hon. Mr. Forbes.

" Under clause 5 which corresponds to new section 6-A, it is said:

'The new section corresponds to section 7 of the existing Act which, as it stands would convey the idea that if a landholder does not reserve mining rights when admitting a ryot to any ryoti land including old waste, the mining rights would vest in the ryot. But the intention generally is that mining rights are reserved for the landholder. Hence the change in the language.'

May I ask the hon. the Revenue Member respectfully if this also is advantageous to the ryot, and whether the ryot is to be thankful to the Government for this benefit.

" Under clause 7 (section 8) we find:

' . . . This explains part of the amendment. The amendment also enlarges the rights of the landholder in the case where he inherits the rights of a ryot in a holding. Present sub-section (4) gives the landholder a right to let a holding inherited by him on such terms as he pleases and to prevent the acquisition of occupancy rights therein only for a period of twelve years. The amendment made in sub-section (1) has the effect of permitting the landholder to hold it as an occupancy ryot as well as a landholder without any restriction in time.'

That again is a boon conferred presumably on the ryot. The note says:

'Instead of excluding from the estate lands in an inam village in which there is a merger of kudivaram and melvaram, such lands will hereafter be treated as the inamdar's private land.'

" Clause 8 (section 12):

'According to the decisions of the Calcutta High Court a tenant of a holding in which there are trees is entitled to cut them down but he is not entitled to carry them away or make a profit of them. A decision of the Madras High Court has held the contrary. This clause is intended to prevent the Calcutta view being upheld at any time.'

This makes the position of the ryot much worse. The note on the next clause says, Sir, ..."

* The hon. the PRESIDENT:—" I take it that the hon. Member is speaking upon the main motion also."

* MR. SAMI VENKATACHALAM CHETTI:—" Yes, Sir. Sir, clause 9 (section 13) which says that the landholder will not be entitled to a higher rent on account of any improvement towards the cost of which he has not contributed. But clause 10 gives some concession to the ryot. But at the same time the right of entry has been restricted to all reasonable times. What is ' reasonable time ' is to be determined. We know,

30th October 1933] [Mr. Sami Venkatachalam Chetti]

Sir, how the Government goes to the rescue of the zamindar in cases of wrongful entry. But whatever it may do, we have got at least some protection in this matter, I admit.

"Under new section 10 we find:

'The Collector has been empowered on the application of the landholder or other person interested to determine whether any specified land falls within the terms of any of the sub-clauses (*a*), (*b*), (*c*) or (*d*) of clause (16) of section 3 and to determine the customary rights of the user of such lands at the commencement of the Estates Land Act, that is to say, on 1st July 1908.'

I think, Sir, this presumably refers to grazing and other rights upon which there is a lot controversy, trouble and discontent among the ryots. The note goes on:

'This section is necessary to decide disputes which may arise in connexion with the question whether any specified land is a tank-bed, etc., or what the customary rights in the user of such land are. It should be noted that sub-clause (*a*) of clause (16) of section 3 has been expanded so as to remove not only tank-beds but also the bunds of tanks and the beds and bunds of supply drainage surplus or irrigation channels from the category of ryoti land.'

What it is that is to benefit the ryots in the matter of grazing, etc. God alone knows.

"In section 20, the District Collector is given power to divert any land which is not required for communal purposes, for which it was originally reserved. Before doing so, the Collector should have due regard to any other customary rights of the landholder or the ryots in the use of such land. I do not propose to speak anything about that. Section 20 also enables the Collector to take eviction proceedings. That again is a power newly created." 1-15 p.m.

* The hon. the PRESIDENT:—"May I point out one thing to the hon. Member? Is he going to read all the 20 pages that are before him or is he going only to mention the sections and make his comments thereon? I think the latter is much better; instead of reading 20 pages, he can refer to the sections and make his comment thereon."

* Mr. SAMI VENKATACHALAM CHETTI:—"I am only reading the relevant portion. I will refer to the relevant portion and explain how it is not beneficial to the ryot. Again, section 20 makes some provision for the acquisition of lands for communal purposes and the costs thereon. But the provision made is quite unsatisfactory. Clauses 14, 15 and 16 are considered desirable. This is very important and therefore I have to read it. 'It is considered desirable that Collectors should determine claims for enhancement or reduction of rent by means of applications instead of by suits and hence the changes.' This means all applications. It might appear to be an easier method. But I am afraid having regard to the number of people that have to join to put in an application, the concession that is intended to be shown, becomes quite nullified. Here, Sir, in determining whether a contract is reasonable or not, the Collector is to be guided by considerations mentioned in sub-section (1) of section 32, except the last, viz., the existing rent and the ability of the land to bear a higher rent. It is a very doubtful language whether the Collector should not take the existing rent and the ability

[Mr. Sami Venkatachalam Chetti] [30th October 1933

of the ryot to bear a higher rent. Whatever might be the capacity of the ryot to pay, if the ryot and the zamindar enter into an agreement for rates which may be a few times higher than what is warranted by the ability of the land, the Collector should be guided by the agreement and not the consideration of the prevailing rate in that area. That is indeed a very cruel measure to be placed in the hands of the Collector to the detriment of the ryot. It is stated that the ryot is the best judge of this, and that the Collector need not adjudge a contract to be unreasonable merely on this ground. So, whatever might be the terms of the agreement, the Collector ought not to be led by any other consideration. He has got only to see whether an agreement has been arrived at and if effect is given to that. Even if the agreement rate is considerably higher than that in the surrounding zamindari areas, the Collector ought not to be influenced by that consideration and must enforce the agreement entered into between the zamindar and the ryot. With regard to section 42, it is said that it is just and reasonable that parties should go to the Collector only when there is a dispute as to increase or reduction of rent and not where there is a specific agreement between the parties or where the rent is fixed with reference to area. Sir, it has all along been said that the zamindars are able to extract these agreements irrespective of other considerations and that such contracts entered into with a person who is not in a position to resist the inducements or the extortion and influence of the zamindar should not carry so much sanctity attached to them for fulfilment as against the prevailing rent. It therefore seems to be rather a reactionary proposal that has been intended to be incorporated in this Bill. Pasturage fees and fishery rents are included in the definition of rent and forest fees have also been added by the amendment now made and though these are all recoverable, by summary process should appear in the patta. Sir, with the best of intentions and with the greatest scrutiny that I can bestow on this Bill, I cannot come across a single provision which is apparently in favour of the ryot or which seeks to take away some of the existing powers of the zamindar in the matter of extortion or in the matter of giving concessions regarding grazing grounds. Therefore, the claim that has been made by the hon. the Revenue Member that this Bill was intended to rectify certain defects may be no doubt correct. But to say that this facilitated the removal of certain grievances under which the ryot is suffering is an extravagant claim and cannot for one moment be sustained as stated in his own notes. Sir, the ryot therefore feels that a measure which is not calculated to at least lessen some of his more important grievances is not the one that he would favour. Therefore it is that we obstruct at the passage of this Bill. It is not that we can possibly induce either the hon. the Revenue Member or those sitting along with him to improve the present Bill, but it is because at present it is impossible to remove any of the major grievances by this Council. I only want that justice should be done to the ryot. Whatever might be the obligations of this Government to the zamindars and *vice versa*, there is no reason why the Government should abandon its legitimate duty of protecting the zamindari ryot.

30th October 1933] [Mr. Sami Venkatachalam Chetti]

If the hon. the Revenue Member is in a position to say that the zamindari ryot is treated fairly and justly and that his condition is no worse or no better than that of the ryot living in the ryotwari area, then there is no need for anybody to trouble this Government for a more comprehensive measure. But admittedly from the statement of their own Board of Revenue, the rentals that are being paid by the zamindari ryots are four and five times higher than what the ryotwari area tenant is paying. Even with regard to those lands, we are never tired of bringing to the notice of the Government the severe and acute incidents of those taxations and press upon the Government the necessity for a reduction of taxation and for putting the land revenue policy on a Statutory basis. It is only in the meeting of the last Council that everyone of us vied with each other in asking a remission of the land revenue in regard to the ryots of the ryotwari area. Having done that, what justification is there for a ryot who is obliged to pay four or five times that rate, whatever may be the sanctity of the arrangement which the Government have entered into with the zamindar, to continue to do so? I suppose that the arrangement which the Government have entered into with the zamindar does not include the economic slavery of the ryots of the zamindars. I do not think the Government are competent to hand over the economic prosperity and the economic condition of the ryots entirely into the hands of the zamindars. After all, as has been stated more than once by more authoritative persons, the zamindars are no better—if I may say so without meaning any disrespect to their dignity or influence—they are no better than the former revenue toll-collector in this Presidency. We have disposed off the toll-gate keepers and the consideration which they used to pay to local bodies. In effect, the zamindars are in no better position so far as the legal position is concerned. But while assigning the right to collect certain fees for enjoyment of certain rights, do we not lay down the maximum and minimum fees in respect of those rates? With regard to electric licence and licence to the Railway companies, while we give the monopoly for certain privileges, the Government takes care to fix up the maximum and minimum within which alone they can operate their rates. There is no such thing in the zamindari area. It was thought in respect of the permanent settlement or the sanad that might have been entered into with these zamindaris, that when the suzerain power wishes, it has the right to withdraw those rights if they are exercised improperly. As a matter of fact, the Court of Wards Act provides that, if a person uses the power that he has acquired from the Sovereign power in an improper way, it is the legitimate duty of the Sovereign power to step in, to stop that irregularity. The position is no doubt getting very very serious and it is not either in the interests of the zamindar or the ryot to allow this kind of situation to go on. Sir, hon. Members on the other side, at any rate, their party organ in order to carry out their policy of getting on with this measure has characterized my Bill as confiscatory, revolutionary, and expropriatory. I am afraid they have made a wrong use of those epithets. I challenge any Member of this House to point out one section which is confiscatory, revolutionary or expropriatory or anything which he himself

[Mr. Sami Venkatachalam Chetti] [30th October 1933

has not urged this Council to exercise. The hon. Members for Trichinopoly and Tanjore have been carrying on an incessant agitation for the reduction of land revenue. That does not seem to be revolutionary, confiscatory or expropriatory. If there is consistency in those gentlemen who have asked for remissions in respect of land revenue in this Province in the ryotwari area, they should set their face against this measure. Now, with regard to the hope that the hon. the Revenue Member expressed that he had desisted from moving the present motion on the last occasion with the hope that the representatives of the zamindars and tenants would come to some agreement and he would be in a position to pilot a more agreed Bill, I am afraid, Sir, the hon. the Revenue Member whether intentionally or unintentionally, whether with his knowledge or without, is being made or has been led to short-circuit a Bill, for which I had asked for introduction."

At this stage, the House rose for lunch.

After Lunch (2-30 p.m.)

* Mr. Sami Venkatachalam Chetti:—" Sir, having attempted to disprove the case of the hon. the Revenue Member that the Bill that he had originally introduced was at least in some particulars in favour of the ryots, I proceeded to the question of the conference which was supposed to have been held between the leaders of zamindars and the representatives of tenants. Sir, here again, the hon. the Revenue Member was more than unfair to this side to suppose that what he had heard from the Raja of Bobbili was beyond criticism or beyond contradiction. Sir, the facts of the case are simple. Before my motion for leave to introduce the amending Bill to the Madras Estates Land Act came up for discussion in this Council, the hon. the Raja of Bobbili invited a few of his friends amongst whom I was one. At that meeting, he and his zamindar friends tried to persuade me to put off making the motion of which I had then given notice. After some discussion, I told them that I myself would not act on my own authority, but that I should consult some ryots' representatives before I could agree to comply with that request. The ryots did not like the idea, even if I intended to do so—that is to put off asking for leave to introduce my amending Bill. Therefore it was that I moved for leave to introduce it. It is, Sir, within your knowledge how the hon. the Raja of Bobbili, with the aid of the Government, short-circuited my Bill quite unusually. It was an unusual procedure that he resorted to, a procedure which, if conventions have got to be respected, if understandings that are arrived at between respectable Members of this House should be observed, ought not to have been resorted to at least by a person of that responsible position and in that responsible office. However, the zamindars, if they wanted to achieve an object, do not seem very much to care how that object is to be achieved. Therefore, quite unusually, they resorted to the procedure of adjourning the consideration of the motion for leave to introduce that Bill. But, in doing so, he made the

30th October 1933] [Mr. Sami Venkatachalam Chetti]

House believe that the motion which he was then proposing was calculated to be in the best interests of the zamindars and ryots, that he was devoutly and sincerely wishing for a reconciliation and compromise on several important matters affecting their interests. It would almost appear from that statement that any opposition at that stage to the course suggested by him would be detrimental to such harmonious relations that might result from a conference of that sort. Whether the hon. Member who voted with me believed in the sincerity of that statement or not, there is no doubt that the majority was in favour of adjournment and it was carried. But, I must say that in pursuance of that statement he did invite for a conference a few persons representing both the interests. That meeting was fairly representative from our own point of view, though there was no ryots' organization representative in that conference. Still having assumed some responsibility to espouse their cause, we thought for the time being we will be sufficient to deal with questions that might arise in the conference. But, at the same time, I for one, even at the very preliminary stage of that conference, expressed in clear terms that the discussions ought to be tentative, that the conclusions when they are agreed upon by the conference will have to be forwarded not only to the Landholders' Association but also to the Zamin Ryots' Association and the names of the representatives would be recommended later on. The discussion proceeded upon the most important points, namely, fixation of rents, remission of rents, grazing facilities, provision for maintenance of irrigation works, and inclusion of inams. These are the most important items that were discussed. Sir, luckily, I was taking notes of the discussion that was proceeding at that conference. The point of view of the ryot was that with regard to rent it should be more or less on the basis of ryotwari rents; with regard to grazing facilities, wherever there are no facilities, the zamindar must accept to allocate certain plots for this purpose; as for irrigation facilities, the zamindar must set apart a certain percentage of his income at least from wet lands for the purpose of maintaining irrigation works in proper repair, to which the hon. the Raja of Bobbili, the enlightened zamindar as he is, the more reasonable zamindar as he is, appeared to have agreed to most of them except with regard to the proportion of rent to the gross produce. He demurred to the demand of the ryots' representatives to be treated on the same basis as the ryotwari ryots. He said that he would suggest on behalf of the landholders that the rent should be half of the gross produce. Immediately, it was an actual ryot in a zamin area that was present who strongly rebutted that statement by saying that, if half the produce is given away to the zamindar as rent and that if the other half of the produce is to be defrayed for costs of cultivation, the cultivator would have to go away without anything. Of course the Raja of Bobbili appreciated the force of that statement. But as he was representing also his fraternity, he could hold out no further concessions, unless he had consultation with his brother zamindars. We, on the

other hand, appreciated his difficulty and asked him to carry on further consideration with his brother zamindars and tell us what he was willing to do. Even with regard to the other points upon which there was agreement, the hon. the Raja of Bobbili undertook to get these points and the other points to the extent to which he and his brother zamindars were willing to go, incorporated in a draft Bill which would be placed before Mr. Ramdas Pantulu for scrutiny and examination. That draft Bill was to have been placed before another meeting of that conference and then further discussion was to have proceeded with. This was the only regular meeting of the conference that was held at which something at least took place.

2-45 p.m. "I understood subsequently that after the draft was prepared by an advocate of the hon. the Raja of Bobbili it was shown to Mr. Ramadas Pantulu—nearly a month or more after the conference. I am not complaining of the delay. I realize that the advocate must have taken some time to study those important points and the hon. the Raja of Bobbili must have had time to carry on consultations with the zamindars as to what extent he could go. All these must conceivably take some time. But then when it was shown to Mr. Ramadas Pantulu, he disagreed with everything that was contained in the draft and at once published a statement in the papers that he was not in agreement with any of the points drafted by the advocate of the Raja of Bobbili. There was correspondence in the Press but the correspondence did not repudiate the fact of the statement made by Mr. Ramadas Pantulu that he did not agree with many of the proposals made in that draft. Subsequent to that, probably a week after, the Raja of Bobbili paid me the honour of calling on me and handing over to me a note prepared by his advocate and he also said that he was convening a meeting that evening at his residence. Of course the Raja of Bobbili felt that there was hardly any time for Members of the Council to study the question and add anything useful to the deliberations of the conference. But still I thought a preliminary discussion with the members as were present then at Madras in connexion with a Select Committee on some other Bill might clarify matters, and we were present at the hon. the Raja of Bobbili's residence. Suffice it to say that none of us had any time to go through the draft. The hon. the Raja of Bobbili also saw that there was not enough time, and then a suggestion was put forward that the conference might be held next Saturday when all members of the conference might be present including Mr. Ramadas Pantulu who was absent then, and arrive at some conclusion. The hon. the Raja to that suggestion was very silent. But I did not then know the full significance of that silence. I thought he was merely consulting his convenience with regard to the fixing of the date. But it now transpires that he then had no intention of calling any meeting for there was not either demand or call from the hon. the Raja to me on this matter. And I was so surprised to find one fine evening in the columns of the *Hindu* that there was a conference in the Raja of Bobbili's

residence where representatives of landholders and tenants were present and it also added that all those who were present at the previous conference were present. As I was present at the previous conference, I could very well say that such a report was wrong. I thought, in fairness to the Raja of Bobbili, that after all the blame might easily be thrown on the freaks of the post office, and so I wanted to know whether that excuse was going to be trotted out. I am glad that excuse was not given. I subsequently found that not only I but several others, particularly representatives of the ryots, were not invited to be present, though the Kumararaja of Venkatagiri was there along with his Diwan, as though a single representation was not enough, but a double representation was necessary. (Interruption.) So it ought to have been the duty of the persons concerned to have repudiated that report. Later on, when I found along with that news the anxiety of the Government to bring their own Bill, I thought there was something serious going on behind without our knowledge. I called on the hon. the Revenue Member and asked him what his intentions were in now introducing this Bill when he had originally withheld it. He gave me to understand that the draft that was handed over to him by the hon. the Raja of Bobbili represented the agreed points between the zamindars and the ryots. If the hon. the Revenue Member was misled into introducing this motion at this stage on account of that, it is only fair that he should be disillusioned now and that he should restore this Bill to the old state, shelving it in the archives of the Government.

" So far about the conference. Sir, in a state of affairs like this, ordinarily I should have appealed to you, as the President, as the custodian of the rights and privileges of this House, to see that statements are not made which having the semblance of truth and accuracy would in the result mislead the whole House into a particular action not intended in the ordinary straight course."

* The hon. the PRESIDENT :—" Does the hon. Member mean Press statements? "

* Mr. SAMI VENKATACHALAM CHETTI :—" No, Sir; but statements made on the floor of the House.

" Sir, I am inclined to think that with the Parliamentary experience that you have gained and your knowledge of the procedures adopted in other Provinces, especially in the Indian Legislative Assembly over which the most illustrious of Indian patriots, Mr. Patel whose death we mourned this morning, presided and in whose time rulings on matters of very great importance were given which would always stand as models and examples for other hon. Presidents to follow, you will correct this unusual procedure. Sir, on a memorable occasion, when the Government of India wanted to introduce their Finance Bill, when the House was vacant by the withdrawal of the congress party members, the hon. Mr. Patel said: The House ceased to be representative; I object to any controversial measures being

brought in. Sir, that ruling prevailed. Sir, we, who are here and have been denied the privileges that are accorded to us by the Government of India Act and the Standing Orders on account of certain unusual procedure, need your special protection in this matter. But for the somewhat unusual procedure adopted by the hon. the Raja of Bobbili, my Bill should have reached the second stage to-day, namely, the stage of introduction, in which case, the amendments which are not covered by the amendments of the Government Bill would have stood a chance of being considered by this House. That opportunity was denied to me, not by the straight course of voting against my Bill, but on account of a devious method, that has been adopted. Having regard to that, is it too much for me to ask you to come to my rescue and advise the Government not to proceed with a Bill of such a contentious nature after having lent their support to a course which was not usually allowed by this House? I do not want to place you, Sir, in a delicate position. I only mentioned it so that the Government might appreciate the delicacy in which the President himself would be placed in the matter and have the grace to consider very seriously the withdrawal of it. Sir, I am labouring so hard not because my Bill does not stand a chance of being considered. I only want that the more important matter, the grievances of the ryot, should have a chance of being considered along with this Bill. If these grievances are not considered there is no earthly use of proceeding with this Bill. Just merely to give an equal chance for the provisions that are contained in my Bill to be considered along with the Government Bill that I beg this hon. House to allow that my Bill may be taken into consideration along with the other Bill.

"Sir, I have exhausted, as far as possible, all the privileges that I can enjoy under the Standing Orders. I appealed to the Government to accord sanction to the previous publication of my Bill so that it may be ready for the stage of referring both Bills to one Select Committee, so that both may be considered together. It so happens that Bills of a more trivial nature, of a more transitory and transcient importance are accorded the special privilege of the previous publication. But the more important ones are denied that privilege. Probably that is due to the unfortunate position in which I find myself of being in the Opposition. If I were a member of the Justice Party, probably the Government would have considered the desirability of giving the sanction of previous publication even though that Bill is of a fickle trivial nature. I want hon. Members to take these things into consideration. In the Government Bill there is no provision for the possibility of limitation of rent in the zamin areas; there is no provision for grazing facilities being given in order that the ryot may feel quite secure about them. There are no doubt certain amendments provided for them which have been handed over to the Government and from what transpires it would appear that the Government are willing to allow them to be discussed. The fact that they are

30th October 1933] [Mr. Sami Venkatachalam Chetti]

willing to allow these amendments to be discussed shows the necessity of considering other amendments also. After all, it may be merely a matter of giving notice and at the proper time somebody else rising up from his seat and questioning the relevancy of those amendments to the sections under discussion. Without trying to express any opinion on the relevancy or otherwise of those amendments to the provisions of the Bill, it will not be surprising if on a stricter construction and somewhat unusual construction that might be placed on the Standing Orders, those amendments will get on the agenda paper automatically; in which case, and I dare say the zamindars would have taken particular good care to have that done too, the ryot would be deprived of a remedy for his grievances. If really the zamindars are anxious, as they appeared to be at one stage, to settle these differences as amicably as possible, here is an opportunity. Why should they be afraid of my amendments if they are only amendments relevant to the points raised by the Kumararaja of Venkatagiri in his amendments? The other amendments of which notice has been given are of such minor importance that they can be considered in open Council without bestowing great care and thought over them. But, would it be possible for the open Council to decide these questions of very great importance without referring them to a Select Committee. Have you ever legislated such important measures without referring them to Select Committees?

" Why follow this unusual procedure? Is it because the zamindars are afraid of the consequences that will follow if this is referred to a Select Committee that they are asking for this procedure? I challenge them to refer this Bill to a Select Committee and take its decision on it. I hear somebody laughing. Yes, they may now laugh, but they must remember that the time for weeping is also coming nearer. If the zamindars lose this opportunity to come to a fair settlement with the ryots, probably a time will come when they would be compelled to do so. For that purpose it is not necessary that a Communist Government should come into power. It is not necessary that expropriatory legislation should be resorted to. Only let the Reforms, whatever they may mean, come and, if the then administrators see that the cost of the administration is high and that the revenue derived from land revenue is not enough, they would, even if the hon. the Raja of Bobbili is one of them, turn their eyes to the zamindari system. It is not necessary that there should be a Communist Government to do this and it is not necessary to have expropriatory legislation for that. Therfore I request hon. Members of this House to give us a fair chance to discuss this question. 3 p.m.

" Now, Sir, as I stated in my opening remarks, the representatives of the ryotwari areas have a very serious responsibility on their shoulders. They have been persistently demanding Government for remission of revenue on the ground that the prices have fallen abnormally and ruinously. Every one of us sympathized with their demand and even the Government partially recognized it, but on

account of prestige and on account of adherence to what they considered to be a rigid rule, did not grant remission but only suspension. But with that suspension the ryots are not satisfied. The representatives of the ryotwari areas are pouring in with petitions on the Members of Government to give remission instead of suspension, as suspension would in later years be all the more burdensome when they would have to pay either in instalments or in a lump sum. Now I ask, what justice is there, what consistency is there, when these same representatives who asked for remission on behalf of the ryots now coming and agreeing to fix the rents at the high rates laid down in the Bill? Will not the Revenue Member himself quote against you your own arguments? I tell my hon. Friends that, for the sake of party loyalty, they should not sacrifice their own cherished principles of a lifetime. If the party is going to ask every one of its members to commit suicide, will that be a proper and a legal mandate which should be obeyed? Such a mandate would be an illegal mandate and as such should unhesitatingly be broken. I beg, therefore, hon. Members of the Justice Party to set at naught that mandate even in their own self-interest. Now, Sir, the Justice Party is said to be a democratic party though it has now the peculiar fortune of being presided over by an aristocrat. That reason ought not to be quite sufficient for all the democratic representatives of the people in it to be dragooned and jockeyed into a situation merely to buttress the position of the zamindars as against the tenants. The tenants have got a right to expect your support, party or no party. It is not on behalf of my party that I am now making this motion. My own interests in the problem are also practically nothing. Yet, justice requires that the tenants' cause should be supported and protected in this House. But, I have no illusion about the result of my motion. I know that the numbers are very strong against me and I see that the Solar system of the Government has been further reinforced by more than four or five, some by defection, one by resurrection and one by creation, creation being the nomination of Mr. Gopalaswami Ayyangar. Sir, these have come in. The Government thought that their forces must be reinforced. To stifle this motion they strengthened their ranks. Now, Sir, the hon. the Raja of Bobbili reminds me of elections. Yes, his paper also said the same thing the other day. I quite agree that we should remember the elections. The suggestion conveyed by him is that it is for the purpose of election that we are doing all these things. What does that mean? That means that I am making a motion which is acceptable to the electorate as against the one moved by them. So, they are here to-day doing something contrary to the wishes of the electorate which sent them and I am here doing something which is agreeable to the electorate. Now, I think the purpose of election cannot better be served than by the step the Government are now taking. What is the situation now? You are going to carry this Bill whether we allow it or not. By all means do so. That means that with your big stick you are blocking the redressal of the

30th October 1933] [Mr. Sami Venkatachalam Chetti]

legitimate and reasonable grievances of the ryots. You only want to obey the commands of the Government and rectify a few minor defects here and there and further support the zamindars against the ryots. Is not that cry quite enough to suppress a party like yours? I do not know if anything more is required. Therefore, even from the point of view of the elections, it is very desirable that you must consult your own safety and not help in passing a measure of this kind. I assure you it is not our intention to have a claim for this Bill for any one of our party. I deny any such intention in our party. I am willing that the provisions of my Bill might be put in the melting pot along with the amendments of the Kumararaja of Venkatagiri. They will then be Sir Archibald Campbell's Bill and neither mine nor the Kumararaja's. Therefore there is no point in saying that my party wants to claim this Bill as its own. I am willing to surrender my rights as the Mover of the Bill to Sir Archibald Campbell if he will only consent to consider these amendments.

"Sir, while reading the several clauses in the Bill as introduced by Sir Campbell, my hon. Friend, Mr. Basheer Ahmed, asked me, what I had to say about the Bill which emerged from the Select Committee. Well, in answer to him I have only to repeat what my hon. Friend, the Leader of the Opposition, Dr. Subbarayan, a zamindar, has stated in regard to the net results of this Bill.

'Having sat long hours at the Select Committee considering this Bill, I am sorry I have become more and more impressed with the absence of any overwhelming necessity for it.'

"This is what a zamindar says:—

'So far as I can see, the present Bill, in spite of its 120 odd clauses, does not deal with any matter on which either the zamindars or the ryots were keen on obtaining an alteration of the law.'

"So it is wanted neither by the ryots nor by the zamindars.

'It does not affect the essential relations between the landholders and the ryots and is not likely to satisfy either.

'As a lawyer I cannot reconcile myself to dealing with lankas without reference to any of the accepted principles of the law of accretions. The provisions in the Bill regarding lankas will do no good to the ryots as, after the passing of this Act, no landholder will allow any tenant to remain in possession of a lanka for more than twelve years.'

"Sir, I am very much thankful to Dr. Subbarayan for foreseeing the danger into which the ryot is driven by the amendments that have been made by the Select Committee. The zamindar that he is, says:—

'It has only the effect of expropriating the landholder where out of sentiment or kindness he has already allowed a ryot to remain in possession of a lanka for over twelve years.

The Bill has introduced far-reaching changes in the chapter on Irrigation.'

"Here the zamindar gets the better of him:

'But I am afraid that most of the provisions will remain a dead letter. I would therefore not have objected to them had it not been for the fact that at the fag-end of the sittings of the Committee, an amendment was introduced

[Mr. Sami Venkatachalam Chetti] [30th October 1933

to the effect that if in accordance with the orders passed under this chapter, repairs are not carried out, the Collector may order a temporary reduction of rent until they are carried out.'

"At this he thought his pocket was pinched, and so he stated:—

'This provision for the temporary reduction of rent for non-execution of repairs introduces a novel principle into the Estates Land Act, viz., that of temporary remissions or variations of rent during what may be described as a period of settlement.'

"Sir, in the penultimate paragraph of his note of dissent he further says:—

'One would have thought that a Bill to amend the Estates Land Act would have taken into account the grievances of the zamindar in this respect and would have smoothened his path in realizing his arrears. Far from doing so, the Bill has only increased the obstacles.'

"I say with him that the zamindar's path should be much more smoothened by a reconsideration of the whole thing. I only want exactly what he wants.

"Sir, I was tempted to have a cursory glance at the discussion which took place here in connexion with the Malabar Tenancy Legislation. I want to remind hon. Members coming from the West Coast to recall to their minds the various grievances which they put forth on behalf of the cultivator and the kanomdar and the privileges which they secured for them after a strenuous fight supported by the hon. the Law Member who was then on the non-official benches. Having secured those rights for their cultivators and kanomdars, it is only fair that they should not vote against the conferment of such privileges on their confreres in other areas. Otherwise, it would amount to a selfish act and will not be worthy of emulation by anybody.

"Sir, in this connexion I am reminded of the plea put up by my hon. Friend, Mr. Langley, on behalf of the agriculturists and cultivators when the demand for the remission of land revenue for the ryotwari tenants was before the Council. Sir, that speech cannot easily be surpassed in eloquence, in the richness of the material and the strength of the arguments advanced. On this occasion I want Mr. Langley to recall to his mind and not only that, to recall to the minds of his other colleagues sitting with him, that speech of his and plead on behalf of the zamin ryots who are undoubtedly and admittedly five times worse off than the ryotwari ryots.

3-15 p.m. "If he does not do so, I should only think that the speech he made was merely for the purpose of stage management. I am obliged to question the logic and consistency of his arguments. I beg of him to put his influential support and sympathy on the zamindari ryot. While saying all these things I am not unaware of the fact that the Government are really in the know of all these things. I quite realize that the lot of the ryots in the zamin area is awful, is very much worse and they have also the support of the evidence of the Banking Enquiry Committee who state that the value of lands in a zamin area is very considerably less than the value of lands in other areas. But the Government are not

30th October 1933] [Mr. Sami Venkatachalam Chetti]

willing to do anything for the ryots for the reason they seem to think that their Government can only be carried on by the support of these zamindars. It is a wrong notion. People will be coming in by heaps and heaps to support the Government in all their acts intended to benefit the people. That the zamindars alone should be considered essential for the purpose of running the Government is more than what I can say. I want the Government to forget this. They must forget that it rests merely on the influence and support of the zamindars. It is going on for other reasons and it will still go on more efficiently and more benevolently, the more they are amenable and responsive to the legitimate demands of the people.

"I therefore move that this Bill be adjourned till such time as the Bill of which I have given notice also reaches the same stage as this Bill."

* Mr. T. C. SRINIVASA AYYANGAR:—"I desire to second the motion moved by my hon. Friend, Mr. Sami Venkatachalam Chettiyar. On this occasion I do not desire to go into the merits of the controversy or the rights and the obligations that subsist between the landlords and the ryots—a subject which beset with difficulties and a proper solution of which is the desired object of the legislation undertaken by the Government. If the Bill had stood at that stage and for the principles on which it was introduced originally, viz., to remove the difficulties which were found in the working of it, one would naturally think whether a comprehensive Bill in the interests of the landlord or in the interests of the ryot or in the joint interests of both dealing with the rights and obligations of both cannot be more appropriately reserved to be introduced on a future occasion. The Select Committee has introduced certain provisions in the Bill which affect the rights in many respects and the innumerable amendments which have been given notice of, said to be, on agreement, on certain matters, between the leaders of the ryots and those of the zamindars, introduce further complications touching the rights and obligations of both. In these circumstances what is the meaning of proceeding with a Bill in which only a few of the points of the ryots are sought to be embodied and many would be left out? A motion was made on the last occasion by my hon. Friend, Mr. Sami Venkatachalam Chettiyar, to introduce a Bill in which the ryot's aspect of the matter was put in largely. That motion remains undisposed of. I desire only to point out one aspect of the matter and that is the legislative propriety which may properly be viewed by all the hon. Members apart from the controversy relating to the merits of the Bill. Supposing the House gives leave to Mr. Sami Venkatachalam Chettiyar to introduce his Bill by the time this Bill would be referred to a Select Committee or it comes before the open Council with the Report of the Select Committee, the Government Bill would have become law. And when the Bill of my hon. Friend, Mr. Sami Venkatachalam Chettiyar, is taken up for discussion, many provisions of the Bill which touch those clauses in the Government Bill, cannot be discussed during the

[Mr. T. C. Srinivasa Ayyangar] [30th October 1933

lifetime of this Council and they will be shut out of discussion. There will be other provisions of the Bill which will be nugatory whose consideration, though technically allowable will lead to no harmonious results. Admittedly, after the presentation of the Select Committee's report an adjournment of the consideration of the Select Committee's report took place time after time, with a view to afford facilities for a settlement of the difficulties between the landlord and the tenant. Now to suddenly press for the consideration of the Government Bill leaving out the possibility of the consideration of the other Bill would, I submit, lead to very undesirable consequences. If the Government Bill becomes law, the Standing Orders will stand in the way of many of the provisions of the non-official Bill being considered. The situation is peculiar and in the circumstances the consideration of the Select Committee's report would only tend to create a huge amount of discontent in the minds of the ryots. I do not know whether it would be in the interests of the landlords or the ryots to proceed with such a measure. I think prudence, legislative propriety, and also the desirability of settling the vexed question between the landlord and the tenants—all demand that the consideration of the Bill be postponed till such time as would enable Mr. Sami Venkatachalam Chettiyar's Bill to be introduced and the Select Committee to report on that Bill."

"I second the motion for adjournment."

* The hon. the PRESIDENT:—"Both the main motion as well as the amendments that the consideration of the Government Bill be postponed are for discussion of the House."

Mr. P. C. MUTHU CHETTIYAR:—"கனவான்களே இப்போது இந்த எஸ்டேட்லாண்டு ஆக்டில் சில விஷயங்களை மருபடியும் திருத்தி அமைக்க ஓர் மசோதா இச்சட்டசபையின் முன்பாக வந்திருப்பதைப்பற்றி எனது சில அபிப்பிராயங்களை தெரிவிக்கின்றேன்.

இம்மசோதாவை பின்பு ஆலோசிக்கவேண்டுமென்று அடியில் கண்ட காரணங்களுக்காக தள்ளிவைக்கவேண்டுமாய் விரும்புகிறேன்.

ஒருதரப்பார் ஜமீன்தார்களை பங்கம் செய்யவேணுமென்று கருதி விவகரிக்கிறார்கள்.

மற்றொரு தரப்பார் அக்கருத்தை ஆக்ஷேபித்து சிலர் பேசுவதையும் ரயத்துகளுக்கு விரோதமாக பேசுவதுபோல அதையும் மறுத்துரைக்கிறார்கள்.

ஆனால் இவ்விருதரப்பும் செய்யும் விவாதம் பலனாக தெரியவில்லை.

வாஸ்தவத்தில் லாண்டுலார்டு ரயத்து இருவர்களுடைய க்ஷேமமும் ரொம்ப முக்கியமாய் கருதப்படவேண்டிய விஷயம் என்பது ராஜாங்கத்தார் உணரவேண்டிய பொருப்பு.

ஆனரபில் ரெவினியூ மெம்பர் இந்த சமயம் இந்த ஹவுசில் இம்மசோதாவில் பூர்ண அனுபவத்தை உபயோகிக்கத்தக்கவர்கள் அதிகம் இல்லை என்பதை தீர்மானிக்கவேண்டும்.

இத்திருத்தமசோதா இவ்வருஷம் பிப்ரவரி மாசத்தில் சபைக்கு விவாதத்திற்கு வந்தபோது, பின்னால் யோசிக்கவேண்டியதாக நிருத்திவைத்திருந்தபடியால் இந்த சமயமும் வந்தாலும் ஆலோசனைக்கு வராது என்று எண்ணிய ஜனங்கள் அனைவர்களும் அப்படியிருக்க திடீரென ஆலோசனைக்கு எடுக்கப்பட்டது.

30th October 1933] [Mr. P. C. Muthu Chettiyar]

இந்த எஸ்டேட் லாண்டு சட்டம் 1908-ம்வருஷத்தில் வந்த நாள் முதல் சிரமங்கள் உண்டாகி 1909-ம்வருஷத்தில் சொற்ப திருத்தங்களை மருபடி செய்தும் அதில் அனேக விஷயம் சரிவரயில்லை. 1908-ம்வருஷ சட்ட தீர்மானங்களையும் அதின் சூக்ஷமார்த்தங்களையும் நன்ருய் அறிந்த அதிகாரிகள் சிலர்தான். ரெவினியூ இலாகா மாத்திரமல்ல, நீதி இலாகாவிலும் கூட சில சப்-ஜட்ஜிகள் தான் நன்ருய் தெரிந்தவர்கள்.

இச்சபைக்கு இம்மசோதாவின் விவகார அனுபவம் சரியாய் அறிந்ததாக இல்லையென்று கருராய் சொல்லவேண்டியிருக்கிறது.

வாஸ்தவத்தில் ஜமீந்தார்களுக்கோ இனும்தார்களுக்கோ குடிகளுக்கோ, நஷ்டத்தை உண்டாக்குகிற விஷயம் என்மனதிற்கும் சரியை யாவர்க்கும் திருப்தியைதராது.

1865-ம்வருஷ 8-வது ஆக்டை திருத்த முயன்று 43 வருஷத்திற்கு பிரகு உண்டானது. 1908-ம்வருஷ 1-வது ஆக்ட்டு உண்டான முதல் சதா விவகாரம் அதிகரித்து கஷ்டத்தையும் நஷ்டத்தையும் உண்டாக்கிவிட்டது.

லாண்டுலார்டும் டென்னென்டும் ஒரே ஒற்றுமையாய் இருப்பதுதான் அவ்விருவர்களின் க்ஷேமமாகும். அந்த அன்னியோன்னியத்தை கெடுக்க நினைக்கப்படாது. அந்த வித அனுபவங்களை சொல்பவர்கள் செலக்டு கம்மிட்டியில் சிலர்கள்தான் இருந்தார்கள் என்று என் அபிப்பிராயம்.

இந்த விஷயத்தில் தெலுங்கு தேசத்தில் சில சம்பிரதாயங்களிருக்கின்றன. அது மாதிரியே தமிழ் தேசத்திலும் மலையாள தேசத்திலும் சில வழக்கங்களிலிருந்துவருகின்றன.

ஆகையால் இந்தச் சட்டத்தை சென்னை ராஜதானி பூராவும் அமுலுக்கு கொண்டுவருவது பொருந்தாத காரியம்.

அன்னியில் ஒவ்வொரு எஸ்டேட்டிலும் நில உரிமை டென்னியூர் பாத்தியங்கள் பலவேராக இருக்கும்.

ஹோல் இனும்தார் சம்பந்தங்கள் அவர்களின் உரிமைகளையும் இந்த மசோதாவில் கலந்து யோசிப்பது பிசகு.

இனும்தார்கள் உரிமைகள் வெகுநாளைக்கு முந்தி கர்னுடக ராஜாக்களால் தகுந்த காரணங்களுக்காக கொடுத்துள்ளவை. அவ்வினும்தார்களின் அனுதாபத்தை சொல்வதற்கு அவர்களின் பிரதிநிதி இச்சபையில் யேற்படவில்லை. செலக்டு கம்மிட்டியாரும் இதை எடுக்கப்படாது விட்டிருக்கிருர்கள்.

திடீரென அவர்கள் பாத்தியதையை பரிமுதல் செய்வது தர்மமாகாது இச்சபைக்கும் நியாயமாகாது.

லாண்டுலார்டு முறையாலும் சரியே அதைப்பார்க்கிலும் ரையட் முறைமையாலும் சரியே எனக்கு யாதொரு வித்தியாச அபிப்பிராயமில்லை.

பொது நன்மையையே உத்தேசித்து எனது அபிப்பிராயம் தெரிவிக்கிறேன்.

ஆகையால் இவ்விஷயத்தில் கற்றுணர்ந்தவர்களும் விசாலமான மனதை பொருந்தியவர்களான நான்கு பேர்களுடன் மற்ற சம்பந்தமுள்ள மெம்பர்களையும் சேர்த்து ஓர் கமிட்டியாக நியமித்து ஆனரபில் லா மெம்பரவர்கள் உதவியால் ஒரு ஒரு ஜில்லாவில் 1908-ம்வருஷத்திலிருந்து எற்பட்டுள்ள விவகாரங்களையும் அதின் முடிவுகளுடன் லிஸ்ட்டு தாயரித்து அக்கம்மிட்டி நகர பிரதக்ஷிணமாக ஒரு ஒரு ஜில்லாவாகப் போய் எவிடன்சு இருதரப்பாரையும் வாங்கி ஒவ்வொரு ஜில்லாவின் நிலவரங்களை ஒழுங்கு செய்து ஒவ்வொரு செக்ஷனிற்கும் சில ஜில்லாக்களின் மாதிரியை ஒதுக்கி சொல்லவேண்டியிருந்தால் அப்படி ஒதுக்கி சொல்லி கம்மிட்டியாரின் யாதாஸ்தை மசோதாவாக தயாரித்து இச்சட்டசபைக்கு வருமேயானுல் அது இச்சபை ஆலோசனைக்கு ரொம்ப நியாயமாகும். பின்பு எவ்வித விவகாரமும் ஏற்படாது. அது எல்லோருக்கும் க்ஷேமத்தையே தரும்."

3-30 p.m. * Diwan Bahadur B. MUNISWAMI NAYUDU:—" Sir, I rise to support the motion to defer the consideration of the Bill in the form in which my hon. Friend, Mr. Sami Venkatachalam Chetti, has moved it. The House will remember, Sir, that the Government Bill was introduced in January 1932, that on the first consideration of that Bill there was loud protest from various sections of the House that the Bill was not sufficiently comprehensive, that in the form in which it was introduced it did not go really to remedy the grievances under which the ryots were suffering and that the Government should therefore introduce a more comprehensive Bill. I then partook in the debate and said that the Bill as introduced by the Government was one intended to remedy certain technical difficulties, that it was not intended to radically alter the relationship between the landlord and the tenant and that the tenants' representatives, if they liked could have a more comprehensive Bill introduced in the Council which then was expected to come into existence after fresh elections are held. The Bill was formally referred to a Select Committee. At the same time, the tenants had their own Bill drafted and they introduced it in this House and leave was given to Mr. Satyanarayana Choudari to introduce the Bill. He would have in due course moved the Bill to be referred to a Select Committee in July last, but for the fact that having been appointed Public Prosecutor he had to resign his membership of the Council. The result was that the whole procedure in regard to this private Bill had to be gone through again by my Friend, Mr. Sami Venkatachalam Chetti, who got an opportunity to have the Bill tabled in his name. In January again, when the hon. the Revenue Member wanted to introduce this Bill, the Select Committee Bill, there were pourparlers as to what should be the attitude of the various parties. One section thought that neither of these Bills should come up during the lifetime of this Council, that both of them should be given up and that the new Council should take up any Bill that it thought fit. It was then thought that the life of the Council would soon come to an end and that fresh elections would be held in the course of this year. But now it transpires that the Council's life is not to be so short as was expected. His Excellency has already announced the extension of the Council for a year and what, by the end of the year would intervene, we do not know. But all things point to the probability that the Council might be extended for a further period of one year. In these circumstances, it has become necessary in the interests both of the landlords and of the tenants that something should be done not to postpone the consideration of the serious questions agitating both of them. I really take it that the hon. the Revenue Member in trying to push through this Bill is actuated by a motive of this sort, that is to say, to see that some legislation is undertaken in the lifetime of this Council itself. At the same time, I fail really to understand the attitude of the Government with regard to the non-official Bill. I can quite understand the move of the hon. the Chief Minister, the Raja of Bobbili, at the time when the non-official Bill was moved last time for leave being given to it. As representing the

30th October 1933] [Mr. B. Muniswami Nayudu]

landlords he should not be and he was not anxious that leave should be given. Whether ultimately he will see to it being rejected, it is a matter that will be left to him later on and to his party. Anyhow, he then proposed that the differences between the two sections should as far as possible be adjusted and that he was going to take steps to bring about a better understanding between the two parties. He convened a conference. Some of us attended the conference. There was a spirit of give and take; there was some talk about the lines on which legislation should proceed. A draft was proposed to be made by three representatives and after the draft was made, the question as to how far there could be agreement on the many points that arose should be considered. I do not want to enter into the controversy of what any member said or what any member did not say, but it is clear that somehow there has not been an agreement reached so far, that the draft which the Raja of Bobbili prepared has evidently been put into the hands of the hon. the Revenue Member as representing some of the amendments which might with advantage be embodied in his Bill as settling to a certain extent the differences between the two classes. And, we find, Sir, that amendments have been tabled by the Ministerial Party. About seven or eight of them have given joint amendments. The Kumara Raja of Venkatagiri is supported by a representative of the depressed classes, Mr. Jagannatham, and is supported also by a representative of labour, Mr. Basu Dev. (An hon. Member: Labour?) Yes, labour. I do not know what else he represents. Well, Sir, it looks to me evidently that the hon. the Chief Minister has along with these representatives of labour and the depressed classes formed a perfect happy family, and that the millennium has come where the zamindars, the depressed classes and labour can sail together and a common set of amendments can be given. I know, Sir, on a memorable occasion, the hon. the Raja of Bobbili twitted those people who called themselves the representatives of the ryots and said that they were not real representatives. I am glad to congratulate him now, Sir, on the fact that he represents in himself the zamindar, the ryot, the depressed classes, the labourer and the tenant and that his party is a happy family consisting of all these groups working together harmoniously. It is probably that millennium that has prompted him to induce the hon. the Revenue Member to take this opportunity of introducing this Bill and pushing on with it.

" Sir, on the last occasion when my hon. Friend, Mr. Sami Venkatachalam Chetti, asked for leave to introduce his Bill, in reply to the appeal made by the Raja of Bobbili that these things should be settled, I rose up and said that we on our side were willing to give unstinted co-operation. We have kept up to that. At the same time, I said that, if really a compromise was to be reached, it would be more fitting and desirable, if the necessary steps to that end were taken by the Government, that is, the hon. the Revenue Member, by calling the representatives of both the parties to meet together. Sir, I threw out that suggestion then and in spite of that suggestion, when the hon. the Raja of Bobbili called us to meet him, we thought that something

could come out of it and we did go there. As everybody knows, we could not come to an agreement and there was not sufficient time for further discussion. Under the circumstances, I thought that the hon. the Revenue Member would have taken the hint and while he took over the amendments handed over by the Raja of Bobbili, he would have had the courtesy to take the other members of the conference into his confidence and discussed with them those amendments and asked them: 'Are you agreeable to these amendments or what other amendments have you got to suggest?' On the other hand, what do we find? We found in the papers a week back that the Government had decided to introduce the Bill. The next day came the news that amendments were put into the hands of the hon. the Revenue Member by the hon. the Chief Minister, amendments which purported to be amendments which had been agreed to between the parties concerned. On the third day we had the revelation that in the Secretariat there was consultation as to which of the amendments should be accepted and which of the amendments should not be accepted. The result of it is, we find, that we have several amendments tabled by the Ministerial Party. They have been tabled by a number of Members representing various interests and it looks as if the whole ryot population will be satisfied with these amendments.

"Well, Sir, we, standing here, have to see what we consider to be the interests of the ryots and what the ryots will be satisfied with. The hon. the Raja of Bobbili might have his own ideas of what will satisfy the ryots. We take it, Sir, that when he thought it best to give us some kind of representation by being called to his conference, that our views may be taken up now if not by him at least by the hon. the Revenue Member. Sir, so far as this Bill is concerned, as I said, the very Bill was not acceptable to the ryots even in its first reading. That it is not acceptable to them to-day is increasingly becoming evident by various meetings held elsewhere throughout the country. Only to-day, Mr. Patnaik Mahasayo has received a telegram from a Ryots' Association in Ganjam objecting to the continuance of the Bill. If you take the side of the landlords, the minute of dissent, or the minute of my hon. Friend, Dr. Subbarayan, which has been read to this House, will show that, so far as the zamindars are concerned, that is to say, to the extent to which my hon. Friend, Dr. Subbarayan, can speak on behalf of the zamindars, the Bill is not acceptable to them. I ask, therefore, the hon. the Revenue Member: in whose interest are you proceeding with this Bill and trying to push it forward? If it is in the interests of the ryots, who are the ryots whom you take as their representatives? If the hon. the Revenue Member feels satisfied that the hon. the Raja of Bobbili represents also the ryots so far as the zamindari areas are concerned, I wish him god-speed and let him push forward this Bill. But, if he feels that there are ryots also whom the hon. the Raja of Bobbili cannot represent, I think, Sir, it is the bounden duty of the Government, if they want to hold the scales evenly between the parties, to defer the further consideration of this Bill.

30th October 1933] [Mr. B. Muniswami Nayudu]

"What is it that the ryots or their representatives want? We do not want that the Bill should be perpetually postponed. We feel and clearly feel that the time has come for some kind of legislation to be taken into consideration. All that we say is, in view of the fact that the lifetime of the Council is extended much beyond what we expected, that there is time to enable a legislation to be undertaken to the satisfaction of both parties. We come forward with a concrete proposal on behalf of the tenants; here is a Bill which we propose to introduce. We ask a fair chance to discuss that Bill. It was said that the landlords were preparing a Bill of their own to put forward their views. Well, Sir, whatever may be the difficulties encountered with regard to the introduction of a private Bill, I am sure that no such difficulty can ever be felt by the hon. the Raja of Bobbili or a Member of his party to introduce a Bill. It was only yesterday that we found that previous sanction has been given for a Bill for the purpose of improving the Impartible Estates Act; leave has been given for the introduction of the Bill and prior publication has been ordered; it is ripe even now to be passed into law without being referred to a Select Committee. My hon. Friend, Mr. Bhanoji Rao, has got the distinction to introduce that Bill. So, there will be any number of opportunities to introduce a Bill on behalf of the landholders, by the Party in Power, incorporating what they consider to be their minimum demands or to what extent they can go. Such a Bill has every chance of being referred to a Select Committee much earlier than the Bill given notice of by Mr. Venkatachalam Chetti. If the Bill of Mr. Venkatachalam Chetti is referred to a Select Committee and if the Select Committee should dispassionately consider all the various aspects, then it will be possible for the representatives of the tenants to say that they tried their best to put forward the case of the tenants, and that the Council has tried its best to the Bill being referred to a Select Committee and its provisions being considered in all their aspects and that they might take their chances. What is it you propose to do? Last time when leave was asked by my hon. Friend, Mr. Sami Venkatachalam Chetti to introduce his Bill, it was stifled by a motion for adjournment. Two months elapsed to call a conference; something took place at that conference and some amendments have been put forward as agreed amendments. No days have been allotted for the transaction of non-official business during this session, because the question of giving leave to the introduction of the Bill of Mr. Sami Venkatachalam Chetti would arise. Evidently the Government anticipated what was going to happen. They want that the Bill before the House should first be passed; then they want to say that leave should not be given to Mr. Venkatachalam Chetti's Bill for introduction on the ground that a Bill had already been passed. I ask 'is that fairness to the people?' Is that fairness to this House at least? You have got Members and party strength; by all means carry the Bill forward. That is a more straightforward course than trying to forestall by putting forward this Bill and then probably coming forward 3-45 p.m.

[Mr. B. Muniswami Nayudu] [30th October 1933

with the objection that a Bill has already been passed and that Mr. Venkatachalam Chetti's Bill need not be proceeded with. That is the very sore point. After all, the world is looking at our proceedings. It may be that the hon. the Revenue Member and the hon. the Raja of Bobbili with their party strength will get through the Bill in any form they like. I have no doubt about that. I shall congratulate the hon. the Raja of Bobbili if he goes forwad and tells the country that he is as good a representative of the ryots as Muniswami Nayudu can be; 'here is my production; it is intended for the benefit of the ryots.' The Bill now before the House may go through the Council. The hon. the Raja of Bobbili can go to the country and his party can go to the country and say these are the things to which we are agreeable; we are as much your representatives as any others can be. That is a course which I leave entirely to them.

"But speaking on behalf of the ryots, the minimum that we say is that Mr. Venkatachalam Chetti is ready with his motion; you are averse to give a chance to his Bill going forward. If the lifetime of the Council is not sufficient to allow a Bill to pass through—suppose it lapses because the Council is dissolved—the Government Bill goes and the private Bill goes. If there is sufficient time for a private Bill to emerge from the Select Committee, the two Bills can go forward side by side. To dash through the Government Bill at this stage is not desirable either in the interests of the tenants or of landlords. Some of the provisions of Mr. Venkatachalam Chetti's Bill which are necessary and which are harmless may be incorporated in the Government Bill. It is not wisdom to throw away all the provisions of that Bill.

"I presided over a Conference of zamin ryots some days ago and I tried to pursuade them to pass a resolution that the Government Bill may go forward if the lifetime of the Council is extended. I am not against that Bill being considered if there is sufficient time. I, for one, would implore and request the Government to take into consideration the feelings of the ryots also and to give a chance to have the other Bill also considered and to the Bill to emerge from the Select Committee—a convention established in this House. In that case the Bill will have the support of a fair proportion or even a majority of Members of this House. We may disagree with some of the points; but the best way of considering any Bill is to allow it to go through a Select Committee. I have had it to my experience; we have had it to our experience. It will be difficult for a Council like this to come to a compromise on any important point in the open Council. Compromises can be arrived at easily at the Select Committee stage. The zamindars may feel that some of the provisions of Mr. Venkatachalam Chetti's Bill may not be acceptable to them. In the Select Committee I am sure there will be representatives of their interests also. The provisions which are agreeable may be accepted and the others may be rejected. But the proper method is not to try to stifle the other Bill. If the

30th October 1933] [Mr. B. Muniswami Nayudu]

Government rise up and say 'we should go forward with our Bill', they may do so. The hon. the Chief Minister said when he moved the adjournment motion last time, that they were not opposed to private Bills going forward. Even to-day there is no indication whether they would allow the private Bill to go forward. They have flung the Select Committee report on the Government Bill. These circumstances clearly go to show that the provisions of the private Bill are not acceptable to the landholders. The Government and the Ministerial Party have come to some kind of arrangement among themselves; the Government perhaps propose to incorporate the amendments which are in favour of the landlords. That is a matter which I do not want to anticipate. All that this motion says is 'do not adjourn the Bill indefinitely; adjourn it so as to give a chance to the other Bill also being considered; if the lifetime of this Council is sufficient, let the other Bill also have the opportunity of being reported on by a Select Committee; both the Bills may be taken up together; whatever provisions of Mr. Venkatachalam Chetti's Bill are agreeable, they may be embodied in the Government Bill. This is the minimum of our demands. I do not want to say anything more than this.

"We are passing through very serious times; there is keen economic distress. Mr. Venkatachalam Chetti appealed to the ryots of Tanjore and Trichinopoly. I would appeal to the whole country. Ryots are ryots everywhere, whether in the Government area or in the zamin area. They are feeling the pinch of it very much. It is not advisable to go forward with a Bill which satisfies neither party. Of course the Government may say 'we are creating some business rather than having no business; this business is not liked by any section of the people at all. I leave it to the good sense of the hon. the Revenue Member. So long as Diarchy continues, so long as the Reserved Departments are in the hands of the Government, I expect him to be impartial in this matter and hold the scales even between the landlord and the tenant. I do not want him that he should give an impression—I do not charge him with being a party to it—to the people that he is carrying out the behests of the landlords and nothing else. That will be the effect of rushing through the Government Bill at this stage.

"With these remarks I support my hon. Friend's motion."

* Mr. K. R. Venkatarama Ayyar:—"Sir, I was a Member of the Select Committee which considered the Government Bill. In regard to the work of the Select Committee, the hon. the Mover of the Bill said on 30th January last that he was struck by the accommodating spirit which the Leaders of both parties exhibited in dealing with the Bill. At the same time when he presented the report of the Select Committee to this House, he gave it as the reason for not making further progress with the Bill, that the best interests of both parties lay in their mutual co-operation and goodwill. In the

interests of such mutual co-operation and goodwill, he made an appeal to both sides and to all parties in this House. He wound up by saying that representations had been made to him that there was a general desire to postpone the discussion of the measure. Putting it in those significant terms, he said that he would ask the House for leave not to proceed with the motion which stood in his name, to take the Bill into consideration. I submit, Sir, that that was a fair indication that, as Government was then advised, it attached considerable importance to co-operation on the part of the zamindars as well as on the part of representatives of ryots; and the postponement of the measure was to be only for such time as would be ncessary for all parties in this House to feel that the occasion was ripe for going ahead with the Bill again. What has happened since 30th January last for this House to be suddenly surprised by just a week's notice, that the Government will proceed with what it had dropped on the 30th January? Have all the parties in this House been taken into their confidence by the Government in any real sense so as to enable the Government to feel and say that after so taking them into their confidence, they now feel as the general wish of all parties concerned that the Government should now proceed with the Bill? Nothing like that. From what has been already made clear by the speeches delivered to-day on the floor of this House, all that appears is that the hon. the Raja Sahib of Bobbili—whether as representing the landlords alone or as representing in his own way both the landlords and the zamindari ryots—gave it as an impression to the Government Member in charge of the Bill that the occasion had become ripe for the Government to go forward, there being a radical change since 30th January last. I think I would be underrating the hon. the Revenue Member's shrewdness if it can be said of him that he could easily assume that the hon. the Raja of Bobbili is really representing all parties in the House. It is absolutely clear that the Leader of the Opposition and various other Leaders in this House who can undoubtedly rank as prominent leaders and representatives of the ryots' interests, were not consulted before the Government made up its mind whether the postponement which was agreed to because all parties desired postponement, can now be given up in the sense that all parties desire that the Bill should be proceeded with. Well, it is clear that none on this side of the House has been taken into the confidence of the Government and the Government has felt free to proceed with the Bill because the Government feels that it can command enough support to make sure of the passage of this Bill. That might be so, but it seems to be going back upon the ground on which the postponement was moved by the hon. the Revenue Member in January last. If he thought that so much consideration was due to the leaders of the ryots and to the Opposition Leaders in January last that he should take their wishes also into consideration in announcing the postponement, how does it happen now that the wishes of the Leaders on this side are discounted altogether in revising that

30th October 1933] [Mr. K. R. Venkatarama Ayyar]

decision of the Government to postpone consideration and to announce almost in an ex parte fashion the revised decision to proceed with the Bill?

"Now this Council has been extended for one year. The chances appear to be that this extension will be further prolonged and the elections are likely to come on not on this side of two years. If so, any delay that might be involved in taking on hand a Tenants' Bill would not be so great as to block the passage of the Government Bill. After all, the Government Bill is not a measure which goes any length either in favour of the ryots or in favour of the zamindars. As the hon. the Revenue Member has himself explained more than once, that is a Bill that is intended merely to get rid of certain procedural difficulties which have been experienced in the working of the Act of 1908. It leaves untouched the substantive rights of the ryots on the one hand and the rights and powers of the zamindars on the other hand. That being so, no great importance would attach to the Government measure on its merits and no great disadvantage could be pleaded by a mere postponement of such a measure introduced by the Government. The more important thing to achieve is really a measure that will put on a stable and equitable basis, for some appreciable length of time, the rights of the zamindars and of the ryots. If two years' time, as anybody must concede, would be more than ample for going from start to finish into rival measures of legislation or a comprehensive measure of legislation affecting the position of both the parties, there is really no justification for preventing the chances of a Tenants' Bill going ahead along with the Government measure. The bitterness of the situation appears to be accentuated when under colour of merely getting rid of difficulties experienced in the administration of the Act, amendments are tabled in the interests of zamindars which, if allowed to be in order and passed, would really work injury to the interests of the ryots. Obviously, if one-sided amendments of that kind should be held to be in order, then the position would be like this: for technical reasons, substantive clauses or amendments in regard to tenants' rights might fall to be ruled out, while amendments for the benefit of the landlords might come to be passed in a partial fashion. The net result would be that the legislation as it emerges from this House on the present occasion would be an incomplete piece of legislation which would not only get rid of administrative difficulties but would probably also make room for some incomplete provisions which would tend one-sidedly in favour of one side as against the other. Altogether, the result is not likely to be satisfactory—such as might be possible if this Bill were to be proceeded with on the present occasion, with one-sided amendments alone falling to be considered. I think, Sir, that enough has been said to-day on the floor of this House to induce the hon. the Mover of the Bill to revise his mind and to re-assume the position with which he wound up on the 30th of January last. The pose that he then adopted was one of equal consideration to the Leaders on both

4 p.m.

[Mr. K. R. Venkatarama Ayyar] [30th October 1933

sides, of equal consideration to all sides and parties in this House. At the present juncture, his action almost betrays him as if he has revised that pose and taken sides with one party as against the other. Now to give rise to such an impression is by no means the wisest thing on the part of the Government to do. I therefore would add my appeal along with that already made by others on the floor of the House to-day to the hon. the Mover of the Bill, that he had better revise his mind and whether he allows as much time as is asked for in Mr. Arasu's amendment or as much time as might be involved in Mr. Sami Venkatachalam Chettiyar's amendment or not. I ask that at least this might be done: that the consideration of the Bill be not proceeded with now, that it be definitely postponed to a stated day not earlier than January. I am not moving a further amendment, but I am only making a suggestion in supporting Mr. Sami Venkatachalam's amendment—at least that he might agree to its consideration being postponed till January, so that some progress might be made in the direction of the introduction of the Tenants' Bill and the situation might then be gauged after such introduction, so that if it would then be felt in the light of the progress made with the private Bill, that after all there was nothing to be lost by that Bill being also referred to the same Select Committee as sat over the Government measure and the whole thing coming up for joint consideration before this House on a further occasion—I think such a procedure would really tend not only to satisfy all parties in this House but would enable the Government to claim that really they have not taken sides, really they do not depend merely upon the support of the zamindars with for the moment their satellites."

* Rao Bahadur Sir A. P. PATRO:—" Mr. President, Sir, I do not want to give a silent vote on this motion, and therefore I wish to place a few facts before hon. Members from my point of view. The hon. Member for the City is most excellent when he is most irrelevant. A great part of his speech was devoted to a reading of the history of the Bill which is quite unnecessary and quite beside the point. The hon. Member wanted to go back to a period of fifteen or twenty years and read all the clauses then formulated and again asked us to go through a number of clauses in the hon. the Revenue Member's Bill with a view to show that there are many things more to be added to the Bill so that it may be more effective than it is at present. Then, Sir, he only read the last concluding portion of the Revenue Member's speech on a previous occasion—which was to his point—and he said that the ryots do want a measure, the measure which he has so ably, so intelligently and with such deep knowledge and experience of the conditions of the ryots, prepared—though admittedly he is neither a landholder nor a ryot, and, much less than that, is not acquainted with the relations that exist between the landlord and the tenant. I concede and I confess that it was only a few weeks back that he took the cue and presided over one or two meetings or conferences where he

30th October 1933] [Sir A. P. Patro]

gave out different views on this matter. His Ellore speech is characteristic of his ignorance. This will show that there is anything but clearness of exposition or understanding even from the point of view of the ryot.

"I would not enter into the many points which he has raised, Sir; suffice it to say that he has urged that the present Bill of the hon. the Revenue Member is all one-sided, that it protects only the interests of the landowner, that it ignores the ryot altogether, and he even challenged that nowhere in the Bill could he find any trace of any support for the interests of the ryot or any protection of the interests of the ryot. He is a bold man, Sir, and I am sure he has the courage of his conviction; but accuracy would demand a thorough analysis of the position before saying that the ryots' interests have been ignored or have not been safeguarded. It is too much even for the hon. Member, accustomed as he is, to speak in the strain in which he did, to say that this Bill of the Revenue Member is all one-sided, that it is all supporting the landholder to enable him to get a firmer grip over the ryots. Sir, it passes my understanding that a responsible Member of this House should have the courage to make such a statement on the floor of the House in respect of the provisions of this Bill. It may be due to want of study or understanding. When we look at the provisions in this Bill relating to the ryots' interests and those that exist under the Act of 1908—occupancy right is presumed to exist in the case of every ryot who was in possession at the time the 1908 Act was passed—we can realize what this Bill further develops; that the occupancy right is better safeguarded, that that right is further strengthened in regard to other lands such as Lanka and inam which the landholder is now in possession of. Therefore, it is too much to say that the ryots' interest have been ignored. As I said, the ryots' interests have been strengthened further. In regard to the payment or collection of rent for instance, in regard to the realization of rent, and in other important matters, some of the powers which are vested to-day in the landholder have been minimized and regulated. Again, in regard to irrigation repairs, the provisions have been made sufficiently elastic so that the ryot may have the opportunity to have them attended to at the proper time. These provisions would enable the ryot to have security of tenure in the land properly cultivated and put him in a position to demand that timely repairs should be carried out to the irrigation sources, without leaving them as now, to the sweet will of the landholder.

"I do not want to take up more time of the House, Sir, by going into further details, such as trees and tree pattas, etc., which the hon. Member for the City referred to. I would only say that the custom that prevails in this Presidency is known both to the landlord and to the tenant. There are two kinds of pattas; one where the trees are included in the land patta and the rent also is commuted and included therein; the other where the tree pattas are different from the

land pattas. Similarly in regard to produce and the commutation of rent, there are different systems prevailing in different parts of the province; and the provisions in the Bill endeavour to reconcile the various customs and various practices that exist in the different parts. How can the ryot say that this Bill is not in his interest, that it is only protecting the interests of the landholder? I would ask the hon. House not to be guided or swayed by the eloquence of my Friend from Chittoor. You know he is a very powerful and plausible advocate. He can make a weak case look strong; he can present a weak case in a manner most attractive, with great eloquence

4-15 p.m.

so that you may be attracted to his plea. You will also remember that the hon. Member for Chittoor was a Member of the Select Committee and accepted the report; he knows the interests of the ryots much more than the hon. Member for the City. But yet, the hon. Member in his enthusiasm to plead the cause of the ryots, forgot the conditions under which this Bill has been formulated. For many years himself and others representing both landholders and tenants, took part in the discussion of the principles on which this Bill has been drafted. These principles have been more or less agreed upon, and report after report embodies these conclusions. And the hon. the Revenue Member has been able to wade through all these discussions and arrive at this Bill in the form in which he has presented it to this House. We are grateful to the hon. the Revenue Member for all this. Some hon. Members of this House have suggested that we are undemocratic and unsympathetic. But I ask all hon. Members, sitting on this side or that, 'Are you not in favour of reasonable protection of the interests of the landlord and tenant? Are you opposed to the interests of the ryot in any way? Are you in favour of anything that would cause disturbance in the relations between the ryot and the landlord?' We all stand for the just rights. We are all committed to see that justice and equitable adjustment exist between the landlord and ryot. We do not want either the ryot or the landlord to suffer. Why should we wish that there should be any confiscation of the vested interests of the landholder? We may say from platforms that the permanent settlement is only waste paper, that the ryots as well as the zamindars are only izaradars, and that zamindars are only like toll-gate contractors, as some hon. Members who could not think of a higher or nobler analogy than that, have said. They cannot conceive of a higher ideal than a toll-gate contractor I suppose. Surely hon. Members will realize that this is not what is expected of them. Let matters stand there. Whatever may be the position of these unfortunate or fortunate zamindars, the Government having entered into a contract with them, the right to the property is vested in them. You want to divest them of an immemorial right of theirs. You are not entitled to do so, but I must confess that I have no argument with such advocates, because it means communism or Bolshevism. My Friend, the hon. Member representing the City of Madras, will be the last man, I take it, to advocate such communistic ideas.

30th October 1933] [Sir A. P. Patro]

"Now, Sir, my hon. Friend from Chittoor said that the Bill is not very satisfactory even to the zamindars and he quoted in support of his argument from the minute of dissent of Dr. Subbarayan, the democratic damindar. But the last paragraph of this minute shows how far this Bill falls short of the expectations of the zamindars and also suggests that the zamindars in spite of defects are content to proceed with the Bill, and have their rights fully and formally defined so that there may be no further trouble between the landlord and tenant. I want just to read to you this last paragraph of the minute of dissent of Dr. Subbarayan on which so much emphasis was laid. It is this:

'Although the Estates Land Act contains provisions for the recovery of rent by distraint and by sale of the ryot's holding, those provisions are hedged in with so many restrictions that it is very difficult for the zamindar easily and cheaply to realize his rent, and the path of the purchaser is beset with so many obstacles that where a distrained property or a holding is sold it is not easy for him to obtain possession.'

"What further testimony do you want, Sir, to show that this Bill is not one-sided and is not wholly in favour of the landholders? Here is the statement made by a responsible member who feels that the rights of the landholder have been so far minimized that the zamindar cannot easily realize his rent. The hon. Member from Chittoor possibly relied on this to show that the zamindars were not satisfied with this Bill.

"Again, Sir, the hon. Member said 'Why this haste? Why should you rush through this measure? Why not you wait till what we have proposed comes to such a stage that both the measures may be taken up together?' I appreciate that argument, and we have very great respect for arguments coming from the hon. Member from Chittoor. But let us examine the question calmly. Is it not open to any Member to say 'I have my Bill, which is an alternative measure. Please wait till my measure also comes to such a stage that both may be considered together.' But this Bill under discussion was prepared many many months back. There was ample time for these people who are now shedding tears so profusely for the ryots to consider and suggest amendments to this Bill. What have they been doing all this time? Was not this Bill placed before the people affected for consideration and criticism? Had they responsibility enough or sense enough to have their measure placed before the public in time to meet the Government Bill? They knew that the provisions of this Bill were there for a long time. The Bill was published in the papers, in the gazette, etc., so that they could have read it and taken action in proper time. Was that sense of responsibility shown by these people to prove to the parties interested that their Bill is a complete measure so that establish a just claim for its consideration by this House? I heard hon. Members crying out when the hon. Member from Chittoor was speaking, 'Oh, elections!'. I am not one of those who think that the passing of the measure of the hon. the Revenue Member is going to establish popularity one way or the other. The ryot knows his interests. The daily contact between the landlord and the ryot is

[Sir A. P. Patro] [30th October 1933

something quite different from what the hon. Members are talking about here. We are now in an unreal atmosphere. Please examine the position in the villages and in the mufassal towns. Is there that rancour, that bitterness, that has been attempted to be made out as existing on the part of the ryot? I know the ryots. It is too much to say that there is such an amount of disgust, disappointment and despair among the ryots. Therefore, to say that the measure that has been proposed by the hon. Member for the City of Madras should now be considered and that it is the only measure that will bring salvation to the ryot is too much. It may be a very good measure. It may contain provisions which from his point of view may be good, but which go radically against the proposals of the hon. the Revenue Member. Is it not one-sided? I do not want to go into the details of these proposals. Take, for instance, only one question, namely, that of rent payable hereafter. It has been stated that the rent hereafter to be paid to the zamindar should be decided and that it should be regulated as the rent of a Government land. In other words, it is suggested that we should do away with all those statutory rights created by the permanent settlement. By one stroke of the pen you want to bring down the zamindar to the position of a pattadar. We know the ryot is half owner, co-owner of the land according to the Estates Land Act. He has the occupancy right and the zamindar has the melvaram right. As an occupancy tenant he is considered co-owner. Now, the arguments advanced here show a grave misunderstanding of the position of the ryot in the mufassal. He has got the right of mortgage, and of lease. He has got the right of sale or transfer. He has got all these rights in the land he occupies. He is, as I said, co-owner of the estate, only subject to the payment of the kudivaram to the landholder. Therefore, under these circumstances, to deny the existence of all these rights which have been accruing to the ryot and to say that the landlord must be obliged to receive rent only to be fixed as if the land is a ryotwari land is not just or lawful. I admit that in zamindaris the rents are higher than in the ryotwari areas. I know estates where I appeared on behalf of the ryots. I was an advocate on behalf of ryots in commutation cases in six zamindaris in my district. This commutation was made at a time when the prices were high and the ryots thought that by such commutation they would be able to get Rs. 100 per acre out of which they need pay the zamindar only Rs. 25 or so. They thought then that the arrangement was very good for them. Now what has happened? The prices have fallen and the zamindari ryot feels that he made a serious mistake as now he is not able to pay even that small rent of Rs. 25 to the zamindar. Now on account of the economic depression the situation has changed. It is also the case with the ryotwari lands. But still the remedy for the present economic difficulties lies not in the proposal made by the hon. Member for the City of Madras. He can propose the necessary amendments to the Bill now before the House, and protect the ryot from the arbitrary demands of rent. The remedy is to propose amendments to this Bill in such a manner that we may improve and thereby

adjust the relationship between the landholder and the tenant, and enable them both to live amicably. I do not call the other measure confiscatory, but it amounts to depriving property and other rights legally vested in the zamindars.

"Then, Sir, the hon. Member has said, 'Well, what harm is there if you give some more time so that we may take into consideration all the various amendments and see what could be done with regard to our own measure.' In regard to consideration of the amendments, the hon. Members have my full sympathy and support. It is true that the amendments are still coming in and even now some amendments are being circulated; I quite agree that the time is not enough for us to analyse them and put forward reasonable pleas If an adjournment of a day or two is allowed for this purpose, then it will be quite sufficient. We may collect all the amendments and consider them carefully and thereby minimize the time necessary for the consideration of this Bill. That will be a more suitable method than postponing the measure. I think considering all the circumstances, I am prepared to support the motion made by the hon. Member." 4-30 p.m.

* Mr. A. RANGANATHA MUDALIYAR:—" Mr. President, Sir, my hon. Friend, Sir Patro, felt somewhat diffident to speak after the eloquence of the previous speakers. I have to confess I am under even a greater handicap in rising to speak after his own eloquence has been added to that of the others, who preceded him. I am one of those who from the beginning have held the view that the Estates Land Act Amendment Bill should not be taken up for consideration by the House constituted as it at present is. It is always a mistake for the House constituted in particular circumstances to undertake legislation on the eve of its dissolution, on important matters, knowing full well that another Council is going to come in and that it will be established under completely different circumstances. Our experience of legislation enacted by the Council of the pre-Reform days has not been happy. I have it on the authority of one sitting on the Treasury Bench that he felt that the pre-Reform Council ought not to have taken up the duty of enacting new measures, and that his advice was not heeded; and all of us know with what results the old Council placed the new Acts on the Statute Book. I apprehend that similar difficulties will arise in the case of this Bill, if it is made law. It would be unfair on our part to rush through legislation now when we know full well that the constitution and interests of the new Council are bound to be quite different from those of the present Council. There is another reason why we should not proceed with the amendment of the Estates Land Act. If I remember rightly, Sir, soon after the Bill emerged from the Select Committee and came up for consideration by this House, there was a hurried consultation among the different representatives of the House. It was then understood that the Government Bill should be dropped and at the same time no other Bill should be brought forward during the lifetime of the present Council. However, I must say, in fairness to my Friend Mr. Muniswami Nayudu, that he refused to give a guarantee that, so far as he or his people were concerned, he

would make himself responsible to give such an undertaking. But, whatever may be the attitude of my hon. Friend, Mr. Muniswami Nayudu, it is clear to my mind that no Member can succeed in introducing a Bill into the Council, if the parties to the first pact stood by their promises.

"Again, Sir, there is another reason why this Bill should not be taken up now. From the discussion I have had with people representing different interests, I find that in the opinion of some people the interests of the inamdars have been given the go-by. Similarly, the ryots are feeling that their position has been made worse in regard to some questions. I have no doubt that the zamindars are convinced that this Bill involves considerable hardship to them. I know that the Bill, as introduced, can be passed into law. That would mean that it crystallizes the ills which different interests are objecting to, and gives stability to the disadvantages which each one is complaining against. And who can say when this Bill, enacted into law, will be taken for further consideration by the succeeding Council? It is one thing to introduce a Bill and compel it to be passed into law and quite another thing for these inequalities to be rectified by another Council, in any reasonable time. There is no urgency for this Act. It has been waiting for 18 years and there is no particular urgency for legislation at present. So, in the interests of all the people concerned, it will be best if the motion of my Friend, Mr. Arasu, is carried, namely, that this Bill do stand adjourned to-day six months, meaning thereby that this should never again come in this Council. If the Government will not agree to such a course, I should say, in all fairness, that they must give an opportunity to the other side also to have their amendments considered. If they are so determined that this Bill should come into operation, it is quite open to them to say that the amendments of the Opposition be referred to the same Select Committee as considered the Government Bill. My Friend, Mr. Venkatachalam Chetti, is quite content that his amending Bill is considered by the same Select Committee; and if necessary, the Government may fix a time-limit within which the further report should be sent. I think it is but fair that other view points should be allowed opportunities for expression in this House."

* Rao Bahadur C. Natesa Mudaliyar:—"Mr. President, Sir, I do not understand why such strenuous effort is made to have the Bill postponed. Sir, there was an observation of the High Court that the existing Act is to be legislated upon and to be amended and the hon. Member, Sir Archibald Campbell, brought forward this Bill. This House, including Mr. Mniswami Nayudu, Mr. Venkatachalam Chetti and Dr. Subbarayan, accepted the passing on of the Bill to the Select Committee which was formed of all parties of the House. The Select Committee brought forward an almost unanimous report and the only dissenting note was that of Dr. Subbarayan. Dr. Subbarayan is a frank, open-hearted gentleman. He said 'My rights as a zamindar are taken away, what can I do?' His rights are taken away; where have they gone to? To the ryots. So, he cannot say that the ryots did not gain. The zamindars lost something and the ryots

gained something. (A voice: 'What is that something?') If the amendments brought forward by the Justice Party were to be passed, there will be a Bill which will be most advantageous to the tenant and, even if there is something wanting—there are five hundred amendments and if those amendments advantageous to the tenant are considered and absorbed, you will have a perfect Bill most advantageous to the tenant. I am sure this Council will accept all the amendments short of socialistic and Bolshevik ones. We are all tenants. In the Justice Party, there are a few zamindars and many tenants. The party has the credit of having passed City Tenants Protection Bill into an Act against their own leader, Mr. Tyagaraja Chettiyar. The Justice Party has the credit of having introduced the Malabar Tenancy Bill, and having passed it into an Act. I mean by Justice Party, I include Dr. Subbarayan and Mr. Muniswami Nayudu. They all belong to the Justice Party. One is a Justice democrate and the other is a Justice nationalist. My revered Friend, Mr. A. Ranganatha Mudaliyar, said 'Let us wait for the new reforms.' Why should we deprive the tenant enjoying the advantages of this Act till the reforms come; it may be a year or two. Our object is that the zamindars should exist and that the tenants must prosper. Mr. Venkatachalam Chetti referred to Mr. Forbes. Our zamindars or Rajas were either governors or agents appointed by Nawabs of Carnatic or the Emperor of Viziyanagar. The generalissimo of the French army, Napolean, became Emperor. Sometimes even robber chiefs became kings and emperors. The Emperor of Viziyanagar sent out so many governors and they became zamindars and Rajas. So also, the Nawab of Carnatic was also the Agent or Governor of the Moghul Emperor and he became ruler of this place. If I am not offending any one, the East India Company began their career as revenue collectors of Nawab of Carnatic and built an Empire. (A voice: 'You are the King of Chepauk?') We want the tenants to prosper and the zamindars to exist. Generally, our zamindars show a paternal care towards the tenants. I know Dr. Subbarayan and the hon. the Raja of Bobbili show this paternal care, and I learn that Maharaja of Venkatagiri sacrificed a lakh or so in the way of giving remission to his tenants. We want remissions to be given to tenants. At the same time, Government also should give remission to their ryots. In Bengal, the lands of a number of zamindars were auctioned because they were not able to pay their contributions to the Government. We should give privileges for the tenant, short of Bolshevism and socialism. We must be up and doing. Let us see that the tenant gets all the advantages and at the same time also see that the zamindars do not become extinct."

* Mr. C. R. Parthasarathi Ayyangar:—"Sir, I was a Member of the Select Committee, and in the proceedings that were conducted there, it was remarkable to notice the amount of distrust that existed in the relationship between the landlord and the tenant, and how every section of the Act was being modelled not on the principle of convenience of both the parties but on account of the fact that one side tried to over-reach the other. This want of trust and goodwill is remarkable and may be 4-45 p.m.

noticed in the proceedings of the Select Committee by any disinterested party. This is a state of affairs which one must very much regret, and if the Bill is passed now, it will only be creative of more litigation and less of goodwill. The one thing that ought to govern the relations between the landlord and the tenant, viz., goodwill, is gradually being undermined as legislation proceeds from year to year. The original Regulation of 1802 was extremely simple. The Act of 1865 made the relationship a little more complicated, and in the Act of 1908, the complications were increased and became very pronounced. Now, in the present amending Bill there is a lot of difficulties conjured up which may possibly arise between the landlord and the tenant, and the persons who are to decide upon the restoration of mutual goodwill and harmony are third parties, who know nothing of the one or the other. Such a piece of legislation can never be regarded as conducive to the establishment of permanent harmony between the landlord and the tenant, nor will it be regarded as one promoting goodwill among them. No legislation which is based on mutual distrust can ever last long. Only such legislation as is likely to improve trust, goodwill and friendliness will lay the lasting foundation for future good relationship, whereas legislation which does not remove the root cause of distrust and ill-will will always remain as a blot on the legislature of our country. I may say that the new legislature that is to come, if properly elected and if it really represents the best interests of the country, will not look upon this piece of legislation as one calculated to put India on a line of progressive advancement. It will be considered rather as a backward step and not as a forward one. It will be very clear to those people that we have been spending a lot of time unnecessarily imagining possible difficulties. Intellectual difficulties there may be many, but practical difficulties there may be none. As a matter of fact, the new Act is very much concerned with how the decrees are to be executed, how rival decree-holders are to get the sale-proceeds of the tenant's right in the land, and in a way to see that there is more disruption in the village than a concentration of the interests of all in the village to the best interests of both parties, the zamindar and the ryot. You will find, Sir, that instead of the village becoming more and more an aggregating unit where people are attracted to live therein for the best interests of all concerned, it is indeed to disintegrate very fast, and thus new problems will be created. The tenants who will flock to the towns will make the life of the people in towns more problematical. Therefore, simplicity must be the characteristic of the new Act. A tenant's holding ought not to be sold. That is the first principle upon which we ought to proceed. His crops may be attached but not his land. He ought not to be allowed either to mortgage or to sell his land voluntarily, much less should his land be sold for arrears of land revenue. Our ancient village system was based on this wholesome principle, namely, that no land should be alienated. You may study the literature on the subject with profit, the ancient Sanskrit literature and the vernacular literature, and you will find that even the English writers who have written about the village community in India, including Sir Henry

Maine, are all agreed that the village community is the strongest factor that held the people together in bonds of goodwill and mutual trust. Once break that spirit in the village, and you destroy the whole fabric of Indian life. I am sure therefore that the next Council will regret our attempt to disrupt the village life by allowing sale of individual holdings. They will rather try to see that the holdings are not alienated or subdivided, so that piece by piece the whole thing becomes uncultivable and the cost of cultivation rendered abnormally high. They will also find that rent ought to be collected not in money but only in kind, only as much as one-sixth or one-fifth of the produce of the land, as actual produce is raised on the soil, and not imaginary rent which might or might not have accrued. It means the creation of a machinery which will give a correct idea of the produce of the land and of the division thereof between the landlord and the tenant, according to the ability of the latter to pay leaving a sufficiency for keeping his body and soul together, so that village life as a whole may be a source of happiness and not a source of misery as it is now to most people. This will make the zamindar co-operate with the tenant in such a laudable way. He is certainly interested in the well being of the tenant after all, and it will be to his advantage to see what exactly the tenant wants, such as the repair of tanks, keeping the channels in good condition, the sanitation of the village, the maintenance of the village temple and the village school and such other things, as conduce to the moral and material welfare of the tenants. Such will be the idea that future Legislative Councils will hold before themselves to be achieved in respect of our village life. I have always advocated that the literature relating to the administration of village communities in early India before the advent of the British should be published and studied by everyone, so that we may know how the village communities held themselves fast in those days. There was a time when the village communities in India were very happy when the government of the village was completely in the hands of the common villagers. In these village communities every one knew what the village wanted and contributed his experience and knowledge for the general welfare of the village as a whole. Therefore, the representatives of the zamindars and of the villagers are the best persons to consult each other as to the best way of making life in the village really happy and cultured, so that people may have an attachment for the village, for their homes in the village and for their village life. Considered from that standpoint, you will find that many of the provisions made in the new Act are extremely complicated and make life in the village a misery and a burden and not one in which the cultivator may take an abiding and genuine interest in the welfare of not only himself but also of the landholder. Such being the case, I strongly plead that this present piece of legislation will be regarded as a piece of anachronism by generations to come. Intellectually, it may be regarded as a piece of legerdemain, in which the Legislative Council has been indulging. The Act of 1908 and the rulings of the High Court thereon will clearly show how conflicting have been the decisions arrived at thereon, and how the High Court Judges have

[Mr. C. R. Parthasarathi Ayyangar] [30th October 1933

regarded the Act as very unsatisfactory and very loosely worded. The present amending Bill makes the Act of 1908 worse confounded, and is likely to create greater complications, leading to greater litigation and greater waste of money. Under these circumstances, I heartily support the motion for adjournment because the Bill does not really solve the question of how the village life may be made worth living, so that more intelligent and cultured people may be induced to live in villages and to co-operate with the villagers and lift them from the present degradation in which they have fallen. Then, the zamindar will certainly help to make their lives a happy one, because in the prosperity of the tenants lies the safety of the zamindar. There is no good talking of communism or any other revolutionary movement. But if you only allow the present state of affairs to continue, it will only make the tenant desperate. His condition is already hopeless; his lands are mortgaged to the sowcar and are brought to sale for arrears of rent and he is evicted from his house and from his holding in the village; so that when he is thus let loose upon society in this fashion he will prove to be a greater danger to society than he is at present. Let the zamindar understand the difficulties of the tenant and sympathize with him, come down from his high level and do everything possible in his power to make the life of the tenant a happy and contented one, so that both of them may work together in a spirit of co-operation for the general uplift and welfare of the village community. It will be a source of gratification to the zamindar, instead of his being an object of distrust as he is now. Legislation therefore will have to be made very simple, the whole relationship being summed up in three or four sections, by which the tribunal for the settlement of all questions shall be the village panchayat consisting of the representatives of the zamindar and the ryots. The army of Tahsildars and Deputy Collectors may come in only for the purpose of helping them to solve their disputes and difficulties. As it is, the whole machinery is very very unsatisfactory. A new machinery will have to be created which will decide what exactly the villagers want and what exactly the zamindar ought to do. Then, they will understand each other, respect each other and live together amicably. Our position, I dare say, will be envisaged by the coming Legislative Councils who will be faced with the problems arising out of our present legislation. Therefore I submit that this piece of legislation is unnecessary and need not be rushed through."

The House then adjourned to meet again at 11 a.m. the next day.

VII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

[a] 1. *Rules under the Madras Co-operative Societies Act.*

[a] 2. *G.O. No.* 3036, *L. & M., dated* 29*th July* 1933, *fixing the date of retirement of members of the Parachur Panchayat, Guntur district.*

[a] 3. *G.O. No.* 2953, *L. & M., dated* 24*th July* 1933, *extending the term of members of the Bezwada, Nuzvid and Bandar taluk boards up to* 1*st September* 1933.

[a] Published in the *Fort St. George Gazette.*

30th October 1933]

[a] 4. *List of posts on Rs.* 500 *per mensem and above created during the quarter ending* 30*th June* 1933.

[b] 5. *Statement containing statistics of revenue derived from the sale of toddy shops and the amount of tree-tax paid by sweet toddy drawers in the districts of East and West Godavari for certain years.*

[c] 6. *G.O. No.* 2982, *L. & M., dated* 26*th July* 1933, *regarding reciprocal arrangement with the Coorg Government for payment of tax under the Motor Vehicles Taxation Act*, 1931.

[d] 7. *Proceedings of the First meeting of the Finance Committee, dated* 2*nd August* 1933.

[c] 8. *G.O. No.* 3470, *L. & M., dated* 26*th August* 1933, *extending the term of members of the Bezwada, Nuzvid and Bandar taluk boards up to* 1*st November* 1933.

[c] 9. *G.O. No.* 3612, *L. & M., dated* 6*th September* 1933, *regarding reduction of tax for licences for the last month or last two months of a quarter under the Motor Vehicles Taxation Act*, 1931.

[c] 10. *G.O. No.* 3613, *L. & M., dated* 6*th September* 1933, *regarding exemption of motor vehicles belonging to the Army Department from the tax leviable under the Motor Vehicles Taxation Act*, 1931.

[e] 11. *Copy of memorandum from the South Kanara Catholic Association to the hon. the Law Member regarding the withdrawal of forest concessions* (vide *supplementary question to Question No.* 55 *answered on* 2*nd August* 1933).

[f] 12. *Copies of letter from the Conservator of Forests, Ootacamund Circles, Ref. No.* 119/32, *dated the* 28*th March* 1932, *and letter from the Chief Conservator of Forests, No.* 2537/31-*C*-1, *dated* 5*th August* 1932, *regarding forest concessions in South Kanara* (vide *supplementary question to Question No.* 73 *answered on* 2*nd August* 1933).

[c] 13. *G.O. No.* 3797, *L. & M., dated* 15*th September* 1933, *extending the terms of members of certain panchayats.*

[c] 14. *G.O. No.* 3720, *L. & M., dated* 11*th September* 1933, *notifying the transfer of villages from the jurisdiction of the Madura District Board to that of the Trichinopoly District Board.*

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[a] Printed as Appendix X on pages 128–129 infra.
[b] Printed as Appendix XI on page 130 infra.
[c] Published in the *Fort St. George Gazette.*
[d] Printed separately.
[e] Printed as Appendix XII on pages 130–134 infra.
[f] Printed as Appendix XIII on pages 135–139 infra.

Appendix I.

[*Vide* answer to question No. 118 asked by Mr. A. Pl. N. V. Nadimuthu Pillai at the meeting of the Legislative Council, held on the 30th October 1933, page 26 supra.]

At the Court at Buckingham Palace.

The eighth day of August, One thousand nine hundred and seventeen.

Present:

The King's Most Excellent Majesty.

Lord President.	Lord Colebrooke.
Lord Chamberlain.	Sir Maurice De Bunsen.

Whereas there was this day read at the Board a report from the Judicial Committee of the Privy Council, dated the 30th day of July 1917, in the words following, viz. :—

"Whereas by virtue of His late Majesty King Edward the Seventh's Order in Council of the 18th day of October 1909, there was referred unto this Committee the matter of an appeal from the High Court of Judicature at Madras between Subrahmania Pillai, Kuthalalinga Mudaliyar and Ramasamia Pillai appellants and the Secretary of State for India in Council (represented by the Collector of Tinnevelly) respondent (Privy Council Appeal No. 88 of 1915) and likewise a humble petition of the appellants setting forth that on the 6th March 1902 the first and second appellants and two other persons as *dharmakartas* of Tirukuthalanathaswami temple at Courtallam, Tenkasi taluk, instituted a suit in the Court of the Additional Subordinate Judge at Tinnevelly against the respondent for a decree declaring their title as *dharmakartas* of the temple to the properties specified in the schedule to the plaint for possession and other relief; that the Court of the Subordinate Judge on the 17th March 1906 passed a decree declaring that the temple was entitled by right of ownership to certain portions of the property claimed: that the first and second appellants appealed to the High Court against so much of the decree as was against them; that the respondent also appealed against the decree, that the appeals were heard together and the High Court on the 18th November 1910, passed a decree reversing the decree of the Court of the Subordinate Judge and dismissing the suit; that the first and second appellants obtained leave to appeal to your Majesty in Council that the third appellant was added as an appellant he having become an additional trustee of the temple; and humbly praying your Majesty in Council to take their appeal into consideration and that the decree of the High Court, dated the 18th November 1910, may be reversed, altered or varied or for further or other relief in the premises:

"The Lords of the Committee in obedience to His late Majesty's said Order in Council have taken the humble petition and appeal into consideration and having heard Counsel on behalf of the parties on both

30th October 1933]

sides their Lordships do this day agree humbly to report to your Majesty as their opinion that by consent this appeal ought to be dismissed and the decree of the High Court of Judicature at Madras, dated the 18th day of November 1910, except as to costs affirmed upon the following terms: (1) that the respondent will grant to the appellants the whole of the disputed site lying to the west of the river-bed including the site and buildings of the Santiavanthana mandapam and Kasilingaswami shrine (Nos. 4 and 5 on plan, Exhibit P) and also the Tirthavari mandapam and its verandahs (Nos. 6 and 7 on plan, Exhibit P) being respectively the parcels of land specified as A and C in the decree of the Court of the Subordinate Judge, (2) that the respondent will also grant to the appellants liberty to carry on all customary rights of worship at the falls pool and adjoining sites belonging to the respondent with such liberty of access as heretofore enjoyed, (3) that the respondent declares his intention to safeguard any rights or user and access of the public of and to the pool and other sites belonging to the respondent, and (4) that the parties do bear their own costs in both the Courts below and of this appeal."

His Majesty having taken the said report into consideration was pleased by and with the advice of His Privy Council to approve thereof and to order as it is hereby ordered that the same be punctually observed, obeyed and carried into execution.

Whereof the Judges of the High Court of Judicature at Madras for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

ALMERIC FITZROY.

APPENDIX II.

[Vide answer to question No. 120 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 30th October 1933, page 27 supra.]

AGREEMENT made this 20th day of November 1931 between the Secretary of State for India in Council (hereinafter called the Secretary of State) of the one part and (1) Shanthiraja alias Appu Kambli, president, (2) Dharmaraja Kottari, (3) Adiraja Balipa, (4) Jinnappa Hegade and (5) J. A. Rodrigues, members of a panchayat formed for the purposes hereinafter mentioned, being residents in the villages specified against their names in the Karkal taluk, North Mangalore division (hereinafter called the panchayat), of the other part.

WHEREAS the Government of Madras desire to enlist the co-operation of the villagers in the conservation of forest reserves which remain under departmental control and have agreed with the panchayat in consideration of its assistance against fire and other damage in Todar

[30th October 1933

Reserved Forest in the Mangalore range as specified in the schedule attached and delineated in the plan hereto annexed to give the Panchayat the following concessions:—

1. This agreement shall be in force from the 1st day of July 1932 till the 30th June 1933.

Provided nevertheless that it may be renewed for a further period of one year on the application therefor by the panchayat to the District Forest Officer, North Mangalore division, for the time being and his agreeing thereto.

2. The panchayat shall work under the orders of the District Forest Officer of the North Mangalore division for the time being.

3. The said District Forest Officer shall have the power to remove any panchayatdar whose conduct makes him in the said District Forest Officer's opinion unfit to remain in office. There is no appeal against the orders of the said District Forest Officer.

4. The panchayat will ensure that the concession of clearing undergrowth, i.e., growth of unreserved and unclassified species not above 6 feet in height to a distance of half a mile from the limits of private holding and removal of green manure leaf from unreserved and unclassified species and removal of dead fuel, i.e., parts of dead trees less than 3 inches in diameter and dry leaf and thorns in the reserve is used to the best advantage of the village community and to this end the panchayat shall—

(i) prevent wilful damage to the standing green growth in the reserve;

(ii) prevent fires and clear and fire trace the exterior lines of the reserve at its own cost by 31st January 1933;

(iii) prevent quarrying and removal of minor forest produce (except by Government contractors or agents acting under the orders of the District Forest Officer);

(iv) prevent the cutting of trees and plucking of green leaves from reserved and classified trees for manure, or for any other purposes;

(v) carry out all orders issued to them by the District Forest Officer or by the Range Officer; and

(vi) keep a list of the names of the co-opted panchayatdars whose names should be communicated by the panchayat to the said District Forest Officer.

5. The panchayat shall have the power—

(i) to regulate the collection and removal of dead wood, dry leaves and green manure leaf of unreserved and unclassified species and cutting and taking of thorns for domestic or agricultural purposes;

(ii) to exclude the cattle of any person who recklessly or mischievously sets fire or otherwise causes damage to the areas or who removes tree growth or who disobeys the orders issued

30th October 1933]

by the panchayat in exercise of the powers conferred upon it or who fails to assist the panchayat in carrying out any of the duties assigned to it;

(iii) to impound the cattle which graze without permits;

(iv) to report to the District Forest Officer any offences for which prosecution is desired and when it is of opinion that the offences may be compounded, to suggest the amount of composition that may be accepted; and

(v) to clear and fire-trace the exterior lines of the reserve at its own cost by 31st January 1933.

6. If the panchayat protects the reserve to the satisfaction of the Conservator of Sixth Circle for the time being of the circle, it shall be eligible after 30th June 1933 to the refund of half of the grazing revenue collected therein.

7. If the panchayat fails to protect the reserve to the satisfaction of the Conservator or to co-operate with the Forest department, the said District Forest Officer may, with the approval of the said Conservator, terminate the agreement and dissolve the panchayat at any time before the expiry of the term of this agreement and may withdraw the concessions granted and thereupon the said Conservator may direct the closure to grazing of all or any part of the reserve and may cancel all or any of the permits issued to the villagers.

8. Should a vacancy occur in the panchayat by reason of death or resignation of any of the persons specified above or from any other cause, the vacancy shall be filled by the panchayat subject to the approval of the District Forest Officer from among the co-opted panchayatdars, a list of whose names should be maintained by the panchayat.

9. The area under panchayat may be inspected by any officer of the Forest department, but no orders will be issued to the panchayat except by the District Forest Officer, or the Range Officer.

In witness whereof the District Forest Officer by order and direction of His Excellency the Governor of Fort St. George in Council acting for and on behalf of the Secretary of State and the undermentioned members of the panchayat have hereunto set their hands the day and year first above written.

Schedule referred to above.

Name of the block.	Name of the village.	Taluk.	District.	Extent.
				ACS.
Todar	Todar	Karkal ..	South Kanara.	401·30

1 (Signed) Shanthiraja alias Appu Kambli.
2 (,,) Dharmaraja Kottari.
3 (,,) Adiraja Balipa.
4 (,,) Jinnappa Hegade.
5 (,,) J. A. Rodrigues.

(Signed) M. V. Laurie,
District Forest Officer, North Mangalore.

APPENDIX III.

[Vide answer to question No. 121 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 30th October 1933, page 28 supra.]

Statement showing the annual revenue and expenditure.

Year.	Todar reserved forest.		Hosabettu reserved forest.	
	Revenue.	Expenditure.	Revenue.	Expenditure.
(1)	(2)	(3)	(4)	(5)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1897–98	..	137 5 7	..	146 0 1
1898–99	..	175 13 2	..	173 4 7
1899–00	..	153 6 4	..	154 10 0
1900–01	..	153 11 0	..	159 10 6
1901–02	..	115 0 0	..	117 0 0
1902–03	..	109 15 6	..	111 15 6
1903–04	..	112 8 9	..	114 7 3
1904–05	..	115 0 0	..	117 0 0
1905–06	37 15 0	115 0 0	60 8 0	116 15 8
1906–07	38 14 2	114 11 0	57 11 5	110 11 10
1907–08	21 15 0	118 5 4	60 9 11	120 5 4
1908–09	36 7 0	117 6 9	24 14 0	118 12 9
1909–10	28 8 0	119 14 10	25 8 0	122 0 0
1910–11	27 3 0	117 6 3	27 14 0	118 14 3
1911–12	28 4 0	119 14 6	42 10 0	121 15 0
1912–13	23 11 0	117 11 10	50 11 0	119 10 4
1913–14	40 0 0	90 0 0	41 15 0	158 4 0
1914–15	28 1 0	90 0 0	57 13 0	205 14 0
1915–16	24 9 0	90 0 0	43 11 0	90 0 0
1916–17	16 2 0	90 0 0	40 12 1	90 0 0
1917–18	13 6 0	90 0 0	74 10 0	117 5 6
1918–19	27 0 0	136 2 0	38 13 0	453 14 9
1919–20	26 11 0	90 0 0	109 9 0	204 9 6
1920–21	9 15 0	98 9 0	33 10 6	101 8 0
1921–22	29 0 0	174 15 0	56 11 0	178 9 0
1922–23	33 2 0	391 8 6	62 4 0	348 9 0
1923–24	26 6 0	133 15 9	66 12 0	133 15 9
1924–25	29 8 0	90 0 0	70 2 0	90 0 0
1925–26	43 14 0	90 0 0	66 6 0	90 0 0
1926–27	85 11 5	93 13 3	74 14 4	91 12 5
1927–28	33 0 0	90 0 0	59 4 0	90 0 0
1928–29	32 6 0	90 0 0	59 6 0	90 0 0
1929–30	36 2 0	90 0 0	67 10 0	90 0 0
1930–31	34 8 0	90 0 0	65 14 0	90 0 0
1931–32	49 4 0	90 0 0	71 8 0	90 0 0
1932–33	45 4 0	103 2 0	71 14 0	90 0 0
Total ..	906 10 7	4,315 4 4	1,583 13 3	4,937 11 0

30th October, 1933]

APPENDIX IV.

[Vide answer to question No. 125 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 30th October 1933, page 31 supra.]

South Kanara district.

Taram.	Wet rates. (*a*) RS.	A.	P.	Dry rates. (*b*) RS.	A.	P.
I	7	0	0	2	0	0
II	6	0	0	1	8	0
III	5	0	0	1	4	0
IV	4	0	0	1	0	0
V	3	0	0	0	12	0
VI	2	0	0	0	8	0
VII	1	8	0	0	6	0
VIII	1	0	0	0	4	0

(*a*) In the "Special" Coast group villages, the rate for each taram is one rupee higher.

(*b*) Rates charged on all "occupied dry" lands except Kumari, Kumaki and bane lands and lands subject to hakkal cultivation.

Garden rates.

Taram.	RS.	A.	P.
Best	8	0	0
Superior	7	0	0
Good	6	0	0
Ordinary	5	0	0
Inferior	4	0	0
Bad	3	0	0
Worst	2	0	0

Eight plain taluks of the Malabar district.

Taram.	Old holdings. Rate of assessment per acre before the introduction of resettlement.	Old holdings. Rate of assessment per acre sanctioned at resettlement.	New holdings. Rate per acre before the introduction of resettlement. Assessment.	New holdings. Rate per acre before the introduction of resettlement. Janmabhogam.	New holdings. Rate per acre before the introduction of resettlement. Total.	New holdings. Rate of assessment per acre sanctioned at resettlement.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Wet rates.					
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
1 ..	6 0	7 2	6 0	4 0	10 0	11 14
2 ..	5 0	5 15	5 0	3 5	8 5	9 14
3 ..	4 0	4 12	4 0	2 11	6 11	7 15
4 ..	3 0	3 9	3 0	2 0	5 0	5 15
5 ..	2 0	2 6	2 0	1 5	3 5	3 15
6 ..	1 8	1 13	1 8	1 0	2 8	3 0
7 ..	1 0	1 3	1 0	0 11	1 11	2 0
8 ..	0 12	0 14	0 12	0 8	1 4	1 8

Eight plain taluks of the Malabar district—*cont.*

Taram.	Old holdings. Rate of assessment per acre before the introduction of resettlement.	Old holdings. Rate of assessment per acre sanctioned at resettlement.	New holdings. Rate per acre before the introduction of resettlement. Assessment.	New holdings. Rate per acre before the introduction of resettlement. Janmabogham.	New holdings. Rate per acre before the introduction of resettlement. Total.	New holdings. Rate of assessment per acre sanctioned at resettlement.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Dry rates.			
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
1 ..	2 0	2 4	2 0	2 0	4 0	4 8
2 ..	1 8	1 11	1 8	1 8	3 0	3 6
3 ..	1 0	1 2	1 0	1 0	2 0	2 4
4 ..	0 12	0 14	0 12	0 12	1 8	1 11
5 ..	0 10	0 11	0 10	0 10	1 4	1 7
6 ..	0 8	0 9	0 8	0 8	1 0	1 2
7 ..	0 6	0 7	0 6	0 6	0 12	0 14
8 ..	0 4	0 5	0 4	0 4	0 8	0 9
			Garden rates.			
1 ..	7 0	8 5	7 0	7 0	14 0	16 10
2 ..	6 0	7 2	6 0	6 0	12 0	14 4
3 ..	5 0	5 15	5 0	5 0	10 0	11 14
4 ..	4 0	4 12	4 0	4 0	8 0	9 8
5 ..	3 0	3 9	3 0	3 0	6 0	7 2
6 ..	2 0	2 6	2 0	2 0	4 0	4 12
7 ..	1 0	1 3	1 0	1 0	2 0	2 6

NOTE.—Resettlement was introduced in fasli 1341 in the taluks of Palghat, Calicut and Walavanad and in fasli 1342 in Kurumbranad. It will be introduced in the current fasli in the other taluks. Increment remissions will be granted in accordance with paragraph 27 of the notification published in G.O. No. 2717, dated 23rd December 1931, which has been made available to the Press. In addition, increment remissions will be granted in accordance with paragraph 28-A of the notification annexed to G.O. No. 310, Revenue, dated 8th February 1932 (which has also been made available to the Press), in respect of the increase in assessment due to reclassification of occupied dry lands transferred to wet or garden at resettlement.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

30th October 1933]

APPENDIX V.

[Vide answer to question No. 128 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 30th October 1933, page 33 supra.]

Statement showing the number of cases in which lands were sold for arrears of land revenue in each of the kist months of fasli 1342 in each taluk of the North Arcot district.

Name of taluk.	Number of cases in which lands were sold in						Total.
	January.	February.	March.	April.	May.	June.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Vellore	..	..	..	..	18	..	18
Arni	..	..	..	..	..	..	..
Polur	..	..	..	..	24	52	76
Tiruvannamalai	..	..	..	5	23	14	42
Chengam	..	..	..	..	..	..	..
Cheyyar	..	..	..	..	27	6	33
Wandiwash	..	..	..	14	9	..	23
Walajah	..	..	48	96	98	2	244
Arkonam	..	..	..	28	104	31	163
Gudiyattam	..	..	6	13	29	3	51
Tiruppattur	..	..	..	..	..	..	..
Total	..	..	54	156	332	108	650

APPENDIX VI.

[Vide answer to question No. 129 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 30th October 1933, page 34 supra.]

Statement showing the number of cattle killed by wild beasts in the villages of South Kanara during the years 1928–29 to 1931–32.

Year.	Number of cattle killed by wild beasts.
1928–29	4,339
1929–30	4,355
1930–31	3,968
1931–32	3,928

APPENDIX VII.

[Vide answer to question No. 132 asked by Rai Sahib C. Kolanda Reddi at the meeting of the Legislative Council held on the 30th October 1933, page 36 supra.]

G.O. Ms. No. 1387, L. & M., dated 7th April 1933.

The administration of the Bezwada Municipality has for some time past been extremely unsatisfactory. The Council is rent with faction and the councillors are too preoccupied with their own personal quarrels

[30th October 1933

to be able to discharge their duties to the tax-payers. While M.R.Ry. K. Subba Rao Pantulu Garu was the Chairman, a majority of the councillors were opposed to him. In G.O. No. 4943, L. & M., dated 9th December 1932, he was removed from the office of Chairman and no sooner was Mahboob Ali Baig Sahib Bahadur elected as Chairman in his place, than a majority of the councillors turned against the new chairman.

2. At its meetings held on 7th February 1933, 24th February 1933 and 2nd March 1933 the Council persistently refused to pass the Budget for 1933–34. Thereupon the Government in Memorandum No. 8982-1-A-2, dated 15th March 1933, warned the Council that unless it passed and submitted the Budget to the Government before the end of March 1933, the Government would have no alternative but to supersede the Council. The warning has had no effect on the Council which, at its meeting held on 22nd March 1933 again refused to pass the budget.

3. The Council has thereby persistently defaulted in the performance of one of the most important of its statutory duties and it is clear that faction has rendered the council incompetent to perform the duties imposed on it by law. Therefore the Bezwada Municipal Council is hereby called upon, under sub-section (1-A) of section 41 of the Madras District Municipalities Act, 1920, to show cause, so as to reach the Government within 10 days from the date of this order, why it should not be superseded for a period of two years under section 41 (1) of the Act.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the Chairman of the Bezwada Municipal Council.
,, Collector of Kistna.
Copy to the Board of Revenue, through the Revenue Department.
,, Revenue Department.
,, Inspector of Municipal Councils and Local Boards.

Copy of paragraph 1 *of G.O. Ms. No.* 1589, *L. & M., dated the* 25*th April* 1933.

In G.O. No. 1387, L. & M., dated 7th April 1933, the Bezwada Municipal Council was called upon to show cause, why it shoudl not be superseded for a period of two years for the reason that, in spite of warning, the council had persistently refused to pass its budget for 1933–34 and faction had rendered it thoroughly incompetent to perform the duties imposed on it by law. The chairman has since represented to Government that at a meeting of the council held on the 12th April 1933 the budget for 1933–34 was passed, that he has since been able to command a working majority, that the appointment of a commissioner would reduce the factious spirit in the council and that in these circumstances the council may be given a chance to administer the affairs of the municipality properly. The Government however understand that as many as 17 councillors (out of a sanctioned strength of 32) abstained from

30th October 1933]

attending the meeting held on the 12th April, fearing, it is alleged, a recurrence of the disorder and free fight between the opposing factions, which disgraced the proceedings of the 31st March. The Government are not therefore satisfied that the nominal passing of the budget at a meeting attended only by the chairman's party, which constituted a minority on the council, is an indication that faction has subsided; nor do they think that the appointment of a commissioner will improve matters as his work will be hampered at every turn by a factious council. They have therefore decided to supersede the council for a period of two years.

APPENDIX VIII.

[Vide answer to question No. 136 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 30th October 1933, page 44 supra.]

Statement of allotment of grants made in 1932–33 under roads and water-supply to panchayat boards in each district.

Name of district.	Net allotment. Roads. RS.	A.	Net allotment. Water-supply. RS.	A.
Anantapur ..	2,994	15	1,512	11
Arcot, North ..	4,304	14	388	0
Arcot, South ..	2,262	0	897	13
Bellary ..	2,415	0	1,610	0
Chingleput ..	3,974	0	745	0
Chittoor ..	3,168	0	1,797	0
Coimbatore ..	1,422	0	457	15
Cuddapah ..	190	0	Nil.	
Ganjam ..	Nil.		Nil.	
Godavari, East.	40,501	7	13,544	1
Godavari, West.	63,714	1	19,314	4
Guntur ..	53,267	14	13,791	5
Kanara, South.	21,215	0	3,177	0
Kistna ..	22,836	0	13,128	14
Kurnool ..	Nil.		Nil.	
Madura ..	Nil.		74	7
Malabar ..	Nil.		Nil.	
Nellore ..	727	0	700	0
Nilgiris ..	Nil.		Nil.	
Ramnad ..	10,019	3	544	0
Salem ..	3,506	10	10,194	7
Tanjore ..	4,730	11	8,523	5
Tinnevelly ..	591	3	3,603	13
Trichinopoly ..	2,689	0	11,125	12
Vizagapatam ..	2,331	0	77	0
Total ..	2,46,859	14	1,05,206	11

Appendix IX.

[Vide answer to question No. 168 asked by Rao Sahib P. Subrahmanyam Chetti at the meeting of the Legislative Council held on the 30th October 1933, page 66 supra.]

Admissions into the Presidency College.

I

Percentage of pupils belonging to specified communities to the total number admitted.

Class.	Number admitted.	Brahmans.	Non-Brahmans.	Muhammadans.	Indian Christians.	Depressed classes.
Junior Intermediate	144	43	48	5	2	2
B.A. (Pass)	21	62	14	19	5	..
B.A. (Hons.)	31	74	13	3	10	..
B.Sc. (Pass)	78	35	38	9	17	1
B.Sc. (Hons.)	23	61	13	4	18	4
Post-graduate courses	22	27	27	5	41	..

II

Name of the district.	Class.						
	Junior Intermediate.	B.A. (Pass).	B.A. (Hons.).	B.Sc. (Pass).	B.Sc. (Hons.).	Post-graduate.	Total.
Anantapur	..	..	..	..	..	..	..
Arcot, North	8	1	..	1	1	..	11
Arcot, South	4	..	..	1	..	..	5
Bellary	1	..	1	1	..	..	3
Kanara, South	5	1	2	4	1	1	14
Chingleput	10	..	1	1	..	1	13
Chittoor	8	..	..	2	..	..	10
Coimbatore	4	..	..	4	..	2	10
Cuddapah	..	1	1	1	..	..	3
Guntur	..	..	..	..	..	..	..
Ganjam	..	..	2	..	..	..	2
Godavari	5	..	..	3	2	3	13
Kistna	..	1	..	2	..	1	4
Kurnool	1	1	..	1	..	..	3
Madras	47	8	9	15	..	..	79
Madura	4	1	..	2	..	..	7
Malabar	4	2	3	9	5	2	25
Nellore	4	2	..	1	1	1	9
Nilgiris	..	..	..	1	..	..	1
Ramnad	2	..	1	..	..	2	5
Salem	2	..	..	3	5	..	10
Tanjore	19	3	6	11	1	1	41
Trichinopoly	4	..	..	1	2	..	7
Tinnevelly	5	..	2	3	1	2	13
Vizagapatam	..	..	..	..	1	..	1
Total ..	137	21	28	67	20	16	289

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

30th October 1933]

II—*cont.*

Name of the district.			Junior Intermediate.	B.A. (Pass).	B.A. (Hons.).	B.Sc. (Pass).	B.Sc. (Hons.).	Post-graduate.	Total.
			Class.						
Outside the Presidency.									
Cochin ..	..	..	1	..	2	5	2	2	12
Coorg ..	..	..	1	..	..	1	..	..	2
Travancore	..	..	2	..	..	1	..	3	6
Ceylon ..	..	..	..	..	1	..	..	..	1
Bangalore ..	..	..	1	..	..	3	1	..	5
Pondicherry	..	..	1	..	..	..	..	..	1
Calcutta ..	..	..	..	..	..	1	..	..	1
Bombay ..	..	..	1	..	..	..	..	1	2
Total	..		7	..	3	11	3	6	30
Grand Total	..		144	21	31	78	23	22	319

Appendix X.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING THE YEAR ENDING 30TH JUNE 1933.

Permanent.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	RS.		
Public Works and Labour Department—			
(1) Personal Assistant to Chief Engineer for Electricity. (2) Executive Engineer, Electrical and Mechanical division. (3) Resident Engineer, Pykara (4) Executive Engineer, Operative and Distribution, Coimbatore.	500—50/2—850	Permanent ..	All these posts were on a temporary basis during the Pykara construction works which was completed on 31st March 1933. The posts were made permanent in G.O. No. 802 W., dated 1st April 1933, for the operation and maintenance of the Pykara Scheme.

Temporary.

Extension of previous sanction.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
Public Works and Labour Department—			
Chief Engineer for Electricity	3,750	Three years from 1st April 1933.	The contract with Major Howard was extended for three years from 1st April 1933.
Law Department—			
Additional Sub-Judge, Rajahmundry	550	One year.	
Additional Sub-Judge, Devakotta	550	One year.	

Posts newly created.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
Local Self-Government Department—			
Secretary to the Special Officer, Anti-leprosy Campaign in the Chingleput and South Arcot districts.	1,000—100—1,200	Six months.	Pay drawn by Mr. K. S. Curtis, Assistant Director of Survey, who has been deputed for the work.
Public Works Department—			
Executive Engineer, Public Works Department.	625—1,375	Five months.	For revising the estimates for the Tungabhadra Project.
Executive Engineer for Mettur investigation and Trichinopoly-Cochin extension.	625—1,375	One year from 1st April 1933.	Required for investigation of Mettur Hydro-Electric Project and extension of Pykara power to Cochin and Trichinopoly.

TRUTH ALONE TRIUMPHS

Public Department— Additional Secretary to Government	Pay in the regular line of Indian Civil Service plus special pay of Rs. 250 per mensem.	From 15th April 1933 to 30th September 1933.	For the revision of the Statutory Rules.
Law Department— Additional Sub-Judge, Kumbakonam	550	Six months ..	

S. A. VENKATARAMAN,
Deputy Secretary to Government.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

[30th October 1933

Appendix XI.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

Revenue Department.

COMMUNICATION TO THE LEGISLATIVE COUNCIL, No. 2870-D/33-1, DATED 1st SEPTEMBER 1933.

With reference to the answer given to question No. 27 at the meeting of the Legislative Council held on 1st August 1933 the annexed statement containing the statistics of revenue derived from the sale of toddy shops and the amount of tree-tax paid by sweet toddy drawers in the districts of East and West Godavari for certain years is laid on the Table.

Annexure.

East Godavari district.					West Godavari district.				
Toddy year.	Rentals of toddy shops sold.	Tree-tax realized on trees tapped for fermented toddy for domestic consumption by sweet toddy drawers.			Toddy year.	Rentals of toddy shops sold.	Tree-tax realized on trees tapped for fermented toddy for domestic consumption by sweet toddy drawers.		
	RS.	RS.	A.	P.		RS.	RS.	A.	P.
1929–30	2,99,058	2,173	2	0	1929–30.. ..	4,09,608	14,655	0	0
1930–31	2,42,028	1,430	10	0	1930–31.. ..	3,25,752	10,241	4	0
1931–32	1,45,071	1,741	12	0	1931–32.. ..	1,19,984	13,053	12	0
1932–33 (to date)	2,28,276	1,775	8	0	1932–33.. .. (to date).	2,56,680	14,133	12	0

J. A. Thorne,
Secretary to Government.

Appendix XII.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

Development Department.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 55 at the meeting of the Legislative Council held on 2nd August 1933, a copy of the memorandum (annexed) received from the South Kanara Catholic Association addressed to the Hon'ble the Law Member is laid on the Table of the House.

C. A. Henderson,
Secretary to Government.

ANNEXURE

Memorandum from the Catholic Association of South Kanara.

The Catholic Association of South Kanara, which represents the Catholic Christians of this district and has been working for their welfare for over 17 years, submits this memorandum in continuation of the letter No. 26, dated 1st May 1933, addressed to you by the Honorary Secretary of the Association, to the Secretary to Government, Revenue Department, of which a copy was sent to you No. 29 of 3rd May 1933.

The letter referred to forwards a resolution passed unanimously at a general meeting of this association, urging the suspension of the order cancelling the concessions granted to villagers in reserve forests including Hosabettu and Todar which affect a large body of Catholics.

A petition on the same subject was previously submitted, on the 2nd April 1933, to the Secretary to the Government of Madras, Development Department, through the Secretary of the Landholders' Association of South Kanara, and Mr. J. A. Saldanha, ex-M.L.C., accompanied by a note.

Our association fully endorses the statements made in that petition and the accompanying note and begs that the order of withdrawal of concessions may be cancelled, or, at any rate, suspended pending further enquiry, for the reasons appearing in this memorandum.

The Hosabettu and Todar reserves were constituted reserved forests on the 1st September 1888 and 15th December 1890, respectively. In 1921, the question of their disforestation was raised in the Madras Legislative Council, but Government stated that the Chief Conservator of Forests agreed with the local officers that they could not be disforested, that they contained the growth required for the fuel supply of Mudabidri, Bantwal and Mangalore, and these areas were included in Class IV of Reserves (vide Proceedings of the Legislative Council, Volume II, No. 7, pages 533 to 535). It is to be noted that there was no mention at this time that there were timber trees of any kind in these forests, and further, Class IV in which they were placed were "Fodder and Fuel Reserves." Government at the same time ordered that the prohibition of the removal of manure leaves should not be enforced in those parts of South Kanara district where such removal was not opposed to the interests of forest conservancy. Subsequently the removal of green and dry leaves, fuel, etc., was allowed, not only in the two reserves referred to above, but also in other reserves; and these concessions, essential to the villagers for agricultural and domestic purposes, have been enjoyed by them all along.

We submit that in ordering the cancellation of the concessions in question the forest policy of Government has been totally overlooked. This policy is described in the resolution of the Government of India, dated 19th October 1894, and is included in the appendix to the Forest Code. We beg to quote below the relevant portions of this resolution:—

The needs of communities dwelling on the margin of forest tracts consist mainly in small timber for building, wood for fuel, leaves for manure and for fodder, thorns for fencing, grass and grazing for cattle and edible forest produce for their own consumption. Every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of these needs. . . . It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction It should also be remembered that, subject to certain conditions to be referred to presently, the claims of cultivation are stronger than the

claims of forest preservation. . . Such restrictions as may be necessary for the preservation of the forest or for the better enjoyment of its benefits should be imposed. But no restrictions should be placed upon reasonable local demands merely in order to increase the State revenues. . . The inferior subordinates of the Forest department are perhaps as reliable as can be expected on the pay which we can afford to give, but their morality is no higher than that of the uneducated class from which they are drawn, while the enormous areas over which they are scattered and the small number of controlling staff render effective supervision most difficult. It is not right in order to protect the grass or grazing dues on plots of wastes scattered over the cultivated district, to put it into the power of an underling to pound or threaten to pound cattle on the plea that they have overstepped the boundary between their owners' field and the next. It is to be distinctly understood that the Government of India do not desire that the grazing should be looked upon primarily as a source of revenue.

The Royal Commission on Agriculture expressed its entire agreement with the forest policy of Government and declared that the forest should be the handmaid of agriculture.

We would in this connexion recall the words of Sir Thomas Moir in the Legislative Council (Legislative Council Proceedings, Volume 35, page 304): "We do not forget and have never forgotten that its (the Forest department's) main object is to supply the needs of the people and it must pay attention to the facts that the ryots do require fuel, that they require timber for houses, that they require implements for agriculture and that they require grazing for their cattle." We submit that the reservation of Hosabettu and Todar reserves was opposed to the generous and statesmanlike policy laid down by Government for adoption by the Forest department, endorsed by the Royal Commission on Agriculture and restated in the Legislative Council by the Government's spokesman. These two reserves are very small ones—being 468 and 401 acres in extent; they are isolated and are right in the midst of cultivated lands and homesteads of ryots who have from times immemorial enjoyed the rights in question. To use the words of the Government of India's resolution "*the claims of cultivation are stronger than the claims of forest preservation*" with respect to these reserves. There are extensive forests in South Kanara district which are quite adequate for the present as well as future supply of fuel for this district; and casuarina plantation is besides being largely carried on, and at little cost, in waste lands and there is ample scope for the extension of such plantation. The reservation of reserves in question for the supply of fuel to Mudabidri, Bantwal and Mangalore, which was as stated above, the reason given in 1921 for their reservation, was therefore quite unnecessary, especially as the two latter places are not within easy reach of river or sea and can more economically get their supply from the large forests.

In 1923 these reserves were brought under the Forest Village System. The restriction sought to be imposed on the continuance of the immemorial custom of removal of dry and green leaf for manure had already been removed and this concession had been ordered to be allowed in all the forests of the district by the Chief Conservator of Forests without linking it to the village system, as attempted by the local officers (vide Mr. Tireman's speech—Legislative Council Proceedings, Volume 17, page 730). Further, the Chief Conservator, in response to the requests of villagers, made arrangements for the removal of poles for betal leaf and plantations

30th October 1933]

and for the withdrawal of restriction regarding the removal of lantana (Legislative Council Proceedings, Volume 35, page 708). And the nature of the growth in these reserves was described to be " forest mainly of fuel with few or no timber trees."

Reserves, placed in 1921, in Class IV which do not include timber trees, and in which the nature of growth was in 1923 found to be forest, mainly of fuel with few or no timber trees, are, *for the first time, in the Government Order cancelling the concessions, described as " Sandalwood Reserves."* The sandalwood plants, now in these reserves, must have grown as a result of the protection from fire, etc., afforded by the villagers, and the reward for their protection is a conversion of these reserves from fuel to sandalwood reserves, and the withdrawal of concessions enjoyed from time immemorial.

While the reservation of these reserves for fuel was unnecessary, their reservation as sandalwood reserves, i.e., for the purpose of income is quite unjustified and entirely repugnant to the forest policy already described. For, the Government of India's resolution lays down that *every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of their needs for fuel, manure, fodder, etc., and that considerations of forest income are to be subordinated to that satisfaction.* Sandalwood plants are to be found in unreserved forests also in this district; and their growth in the reserve in question is not extraordinary. *The income to be derived from them after a long period of years would be more than offset by the expenditure that have to be incurred for their conservation, and will be quite disproportionate to the losses, and sufferings that will have to be endured by the villagers by the deprivation of manure, fuel, fodder, etc., as represented by their representatives in the Legislative Council (vide Legislative Council Proceedings, Volume* 41, *pages* 216–220, *Volume* 53, *pages* 117–173.)

That there were such abuses as are said to exist now was admitted several years ago in the Legislative Council; but the abuses were no doubt considered trivial, as the concessions were continued, and the Administration Report of the Forest Department for 1930–31 stated that the Forest Village System has worked satisfactorily in the Mangalore division of this district. Why now it should be thought that these trivial abuses justify the withdrawal of the concessions is not clear. *Perhaps the clue to the action taken is supplied by the reserves being for the first time described as sandalwood forests. It is now apparently thought by the local forest authorities that the continuance of the concessions may be prejudicial to the sandalwood plants to be found in these reserves. These authorities obsessed by the idea of income have lost sight of the main principles of the forest policy and made the forest not the " handmaid of agriculture "* but *its stern mistress.* The forest policy was no doubt the result of a full consideration of all the facts; and we submit that this policy should be adhered to strictly and that the local authorities should not be allowed to whittle it down in their zeal for forest income, or even in their desire to supply the need for fuel of distant localities.

Sir Archibald Campbell said in the Legislative Council on 16th March 1928: *The forests of the province are classified into two classes:—the provincial forests and ryots' forests. The provincial forests include those which it is desirable to work commercially and from which as much revenue as possible should be obtained. The ryots' forests, on the other*

hand, are those which are near villages and are not so important commercially but are important to the local people (*Legislative Council Proceedings, Volume* 41, *page* 242). Once the principle is admitted of allowing villagers the use of ryots' forests without any regard for income to Government—and it could not have been more clearly and liberally admitted than in the words just quoted and the words quoted higher up quoted from the Indian Forest Code, it follows that full facilities should be afforded for the exercise of this right, without harassing restrictions; and the only check to be imposed would be in the interests of adjoining villagers—not in the interests of forest income, or even in the interests of distant villagers. The abuse of the right by some persons should not be visited with punishment on all the villagers. If the Forest Village System which admittedly has never been popular in this district and was forced on the villagers has not been found to work satisfactorily recently, the Village Panchayat System with full power vested in the panchayats under the supervision, guidance and control of the Revenue department might be introduced. This was the request made in the memorials of the villagers of Hosabettu and Todar, ending with the one in 1928 supported by a note made by Mr. J. A. Saldanha, the then M.L.C., and rejected by Government in their G.O. Mis. No. 38, dated 7th January 1929 (Development Department). The Forest Village System which was introduced for the benefit of villagers residing within such forests appears to be inappropriate to ryots living outside the forests. We would recall the statement made by Sir Archibald Campbell in the Legislative Council on 16th March 1928 (Legislative Council Proceedings, Volume 41, page 242), that the *policy of Government in regard to those reserves which come under the class of "ryots' forests important to local people" has been to transfer them to the management of panchayats of local inhabitants.*

If these panchayats do not work satisfactorily, every endeavour should be made to improve them. It should be remembered that ryots' forests are for the benefit of the villagers; and even if the panchayats cannot be weeded of their defects, this evil is to be preferred to the evil of placing difficulties in the pursuit of agriculture already in a depressed state, imposing harassing restrictions on villagers and incurring heavy expenditure on highly paid supervising officers, and corrupt subordinate staff, who, in the opinion of the Government of India (vide its resolution already quoted), cannot rightly be invested with power over villagers.

We beg, in these circumstances, that the order of cancellation of the concessions referred to may be withdrawn, or that at least it may be suspended pending a full investigation by a committee including some non-officials.

30th October 1933]

APPENDIX XIII.

[Vide item VII—Papers laid on the table of the House at page 115 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 73 at the meeting of the Legislative Council held on 2nd August 1933, the following reports regarding the abuse of concessions in the reserved forests of South Kanara are laid on the table of the House :—

(1) Letter from the Conservator of Forests, Ootacamund Circle, Ref. No. 119/32, dated 28th March 1932.

(2) Letter from the Chief Conservator of Forests, No. 2537/31-C-1, dated 5th August 1932.

C. A. HENDERSON,
Secretary to Government.

Letter from the Conservator of Forests, Sixth Circle, Ootacamund, to the Chief Conservator of Forests, Madras, dated 28th March 1932, Ref. No. M-119/32.

I have talked to the District Forest Officers about the 'concessions' during my present tour in South Kanara; and have also seen places where they are a serious consideration in the two divisions.

About four years ago, I wrote very fully about the concessions; past history prior to 1924; the association of panchayats with concessions, etc.; details of 'abuses' in the several reserves; our 1927 negotiations with the populace of the coast near Baindur, in search of expedients acceptable to both sides; conclusions that were reached; action taken, etc. There is nothing whatever to correct in that report of 1927; and the information on almost every aspect of the concessions is there.

I reported then that the practice in force would in time (30 years were suggested) ruin the reserves, in the same manner that the unreserves had already been ruined.

Now as regards present day opinion:—

The District Forest Officer of North division, after about two years' experience, thinks that the concessions should be withdrawn; for one reserve, then after a pause, for another, until all are closed. He would begin inland behind Baindur reserve and work outwards. He points out as an example that the Herur reserve was closed by you in 1928. An extra guard was put on (with a gun). There has been good protection and no trouble at all.

I think there is something to be said for his view. If there *are* places which really need special provision to be made, then the fact would become evident and we should have leisure in which to make arrangements. Incidentally, if we devote any area to leaf lopping, it will be inadvisable

to cling to distinctions between classified and unclassified trees. Such distinctions are not controllable in forest which is different to a factory yard.

The District Forest Officer, South Mangalore division, also with nearly two years' experience here regards localized fellings,—confined to a fixed annual open period or periods in which we could put an extra supervision—as a workable expedient for those few places in his division that need any such provision. Elsewhere private forest and unreserves and Kumaki forests are so abundant that there is no reason for concessions.

The little private 'hadies' that one sees in North Mangalore everywhere (with masses of foliage, even now in April) are evidence how very easily any landholder can, by simply putting up a protective mud wall, grow trees and provide for his own requirements, if he likes. The ordinary cultivator (in the hands of a landlord) will prefer free supplies from reserves. The vociferous people at Baindur are landlords, incidentally, and not cultivators.

The reports of the District Forest Officers indicate that in the way of abuses and breaches of forest law, North Mangalore goes on disregarding rules as usual, whilst in the South division abuses in some places had abated considerably. In the South division I was shown one place where there were no fresh abuses, but plenty of marks of 18 months' old offences. Where there had been this improvement, it was due to personal efforts by the District Forest Officer who interviewed communities himself. But elsewhere similar efforts had failed utterly. For example in Virakhamba reserve.

Both District Forest Officers say how demoralizing it is to the subordinate staff to have unworkable rules to enforce.

The notification that is issued to the public annually runs as follows:—

"It is hereby notified for the information of the public that the Chief Conservator of Forests, Madras, in his order Ref. No. 152/29, dated 20th December 1929, has been pleased to continue the following concessions to ryots of the South Mangalore division from 1st January 1930 to 30th June 1930, in all the reserved forests of South Mangalore division. The concessions are given on the understanding that if they are abused, they will be withdrawn.

Concessions.—(*a*) Clearing of undergrowth in all reserves (except in Muliyar, Kalanjimale and Virakhamba reserve of South Mangalore division) to a distance of half a mile from the limits of private holdings;

(*b*) clearing of undergrowth in Muliyar, Kalanjimale and Virakhamba reserve of the South Mangalore division to a distance of 200 yards from the limits of private holdings;

(*c*) clearing of undergrowth in all areas sown with Hopea; and

(*d*) free removal of—

(1) green manure leaves of unclassified species and dry leaves of all species; and

(2) dead fuel.

NOTE (1).—These concessions will be limited to the use of produce in the village limits from which the produce is taken.

(2) The word 'undergrowth' noted above is defined to mean 'growth of unclassified species not above 6 feet in height' and the words 'dead fuel' to mean parts of dead trees less than 3 inches in diameter."

30th October 1933]

(The above refers to South Mangalore division: Similar notifications are published in North division.)

Taking points in the notice:—

(*a*), (*b*) *and* (*c*)—*Clearing undergrowth.*—The idea is to do away with shelter that harbours wild pig or other enemies of field crops. I have not seen this availed of anywhere, nor have the District Forest Officers. That is to say, there are small patchy clearances of undergrowth (for example, near Mandekole village) but they were done to get leaf manure, and not to keep the wild beasts away.

Observe the foot-notes, limiting the rules:—

NOTE (1).—The produce is to be 'used'—may not be sold? or may it?—in the village limits only. Actually the destination of what is being collected is not ascertainable in the forest. Outsiders would say they were helping a local man to collect his leaf litter and we could not intervene. Outside the forest the destination of the produce cannot be interfered with or checked unless an elaborate permit system is set up. We see big boat loads of leaf being brought down the river from up country forest (origin uncertain) for sale in Coondapour.

NOTE (2).—'Undergrowth' is limited to small stuff under 6 feet high; and 'dead fuel' is part of a dead tree and below 3 inches diameter.

But the principal catch in the rules as notified is that rule (*d*) does not impose any limitations on how 'green leaf manure' may be cut. We all know what is understood by leaf manure: it has not been picked, leaf by leaf; but consisted of lopped branches with leaves adhering.

There is nothing in the published notice limiting the height at which unclassified trees may be lopped; or the size of the branches that may be hacked off. Provided the cutting is alleged to be for leaf manure, all is well. Consequently a reserve is liable to become a dead fuel factory. The coolie hacks down a small tree or a big branch, and spreads the branches about the ground. He is 'cutting leaf manure'. In a few days, he can return; and then (gathering up the fragments) he is 'collecting dry leaves or dead fuel'.

As a matter of fact, the futility of making exact specification for such matters for the benefit of care-free coolies, boys, women and children has, no doubt, been before the eyes of whoever framed the rules. But the result is sadly evident when you inspect a reserve where these concessions are worked for all they are worth.

Take for example Sarpanamane reserve, north of Baindur and on the Bombay frontier.

Here the undergrowth is disappearing rapidly. I will quote from my inspection notes "I went precisely where I had gone in 1927. The first impression is: 'the forest looks just as it did at my last visit.' Getting further inside, however, the ground within the forest is seen to be spread about liberally with twigs and small branch material from the cutting of the smaller shrubby tree growth. Very few of the tops of the actual trees are cut. These 'trees' are 12 years old coppice regrowth from simple coppice fellings of about 1919. To the leaf manure collector they are not big enough to be worth climbing, for lopping purposes. All the cutting is, therefore, done at ground level. I saw instances of xylia poles cut evidently for roofing purposes. I came to a standstill at one point, where cutting seemed very bad, and counted round me within an arbitrary ten yards radius the stumps of small trees that had been hacked down: there were 12. I determined to go on 50 yards and count again. I did so and the count gave 11 instances."

[30th October 1933

Technical objections to the concessions.

Removal of leaf litter.—All countries have gone through stages in which the country people have insisted on being given it: the forests have naturally deteriorated until the deterioration became evident.

The removal of undergrowth, young tree growth and shrubs is against nature and must clearly be adverse to the forest. The latter is generally deciduous, and the exposure of the soil to direct sun rays, when the leaves of the forest trees have fallen in the hot weather, causes the soil to be baked and dried up. Even the shade of leafless shrubs makes a difference. Ground vegetation affects underground water conservation. Moreover, in the monsoon, shrubs hold the soil together and as much to prevent erosion as the forest trees.

About part of Mandakole reserve in South Mangalore, I wrote as follows:—"The abuses of concession in this village neighbourhood had evidently been bad in 1930. This can be seen from the state of specially the Terminalia and Nux vomica trees. In 1931, however, the District Forest Officer had an interview with the villagers; and they promised to mend their ways. It is evident that abuses have abated greatly."

About Virakhamba reserve (South Mangalore) I wrote:—"This consists of small hilly blocks, well away from our main groups of reserves farther from the coast. The reserve is surrounded by cultivation, which uses leaf manure: Nux vomica leaves for coconut manuring: dry leaf fall litter for the paddy flats; cut leaf manure mainly Terminalia tomentosa and Nux vomica for the stable bedding, and then for general manuring purposes.

All efforts to promote a panchayat have failed, because rich man and poor man alike, each thinking for his own hand, believe they get more out of it by the present confused administration.

Past records show that lopping Terminalias for leaf manure is an old practice: offences occurred before the concessions as they occur now—ten since Christmas—but the people have now a legal footing: so they can cut more freely.

Secondly, unreserves 'out in the blue' near these blocks, do not now give as much Terminalia and Nux vomica leaf as they used to: so there is more pressure on reserves.

The Virakhamba forest is now a forest of pollards, reserved and classified trees are the main sufferers, because it happens their leaves are preferred. The local forest guard cannot keep any control. A better man would fail too.

Dry leaf is removed freely (we saw huge heaps down on the paddy flats in the enclosure village).

Fuel is stolen, to some extent."

General remarks.—The reserves most concerned with concessions are of value now for production of fuel (in fact, they are fuel coupe series), and for all the other normal functions of reserved forest.

Forest protection is seldom easy anywhere: and the state of things in South Kanara is setting up awkward precedents. I have yet to hear the train of argument that shows why South Kanara is due (sic) special free leaf manure from reserves. Yet we give it free.

The concessions are not necessary, generally. If concessions are to stop, we can easily set to work and make special plans for those particular places that must be provided with leaf manure from reserves.

30th October 1933]

Letter from the Chief Conservator of Forests, to the Secretary to Government, Development Department, dated Ootacamund, the 5th August 1932, No. Ref. 2537/31-C-1.

[Forest concessions—South Kanara—Annual reports for the years 1930 and 1931.]

In July 1930, the Chief Conservator was instructed to report cases of abuses of the concessions permitted in the reserved forests of South Kanara where such abuse is sufficiently serious to require a reconsideration of the general orders regulating the grant of the concessions.

The working of the concessions in 1930 was reported on, but as the Conservator had not had an opportunity of himself inspecting, he was directed to offer fuller observations of his own when submitting the District Forest Officers' reports for 1931.

In North Mangalore, the position was appreciably worse in 1931 than in 1930—in no fewer than thirteen reserves were the concessions 'much' abused, and it is impossible for the subordinates to detect more than a small fraction of the abuses.

In South Mangalore the concessions are reported to have been 'much' abused in one case and 'to a fairly large extent' in nine cases. Both these definitions must be regarded as indicating a serious state of affairs as the exercise of the concessions in a regular manner inevitably results in grave damage to the forest.

The Chief Conservator has nothing to add to the views he has from time to time expressed on the subject of these concessions generally. Their exercise, whether abused or not, spells complete ruin to the forests and, although there would result some good from the removal of evergreen undergrowth in certain of the reserves in the south of the district, such an operation cannot be carried out in this way.

There is no doubt that the orders should be reconsidered in respect of the twenty-three reserves referred to though fair use of the concessions, as compared with their abuse, only implies that the forests where there is no abuse will exist for a little longer than the others.

The least law-abiding people are those north of Coondapoor and it is precisely here that the concessions are, and have always been, most abused. The District Forest Officer, North Mangalore, suggests that withdrawals should commence inland and work towards the sea, where the demand is heaviest, the unreserves destroyed completely, and the abuses the most intense. This suggestion appears a sound one and it is therefore recommended that, for the present, the concessions in North Mangalore be withdrawn in the case of the six 'much' abused reserves which lie farthest from the sea, and that the Veeracumba reserve in South Mangalore be closed to the concessions.

தமிழ்நாடு சட்டமன்றப் பேரவை

TAMIL NADU LEGISLATIVE ASSEMBLY

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